The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Limit on total borrowing).

The Hon. R. J. HAMER (Minister for Local Government).—I shall refer to the Minister for Fuel and Power the question raised by Mr. Knight concerning the remuneration to be paid to the Gas and Fuel Corporation for the transportation of gas from the city gate at Dandenong to the intake points of the Colonial Gas Association one for the eastern area and one for the west. I do not know the answer to Mr. Knight's question, but I will ensure that the Minister for Fuel and Power conveys the relevant information to Mr. Knight when it is available. I should have added when explaining the Bill that the Gas and Fuel Corporation and the Colonial Gas Company are exceeding their targets in the sale of gas. The Government takes pleasure in this fact. Both the corporation and the company are ahead of their targets, especially in the sale of gas to industry.

Many industries are fully appreciative of the advantages of natural gas, its ease of control and lack of sulphur content, together with its many attributes which are suitable for certain types of industry, such as brick making and tile making, and similar industries. It is a matter of record now that both these gas suppliers have exceeded their targets, hence it is necessary for them to borrow more in order to accelerate their development. I conclude my remarks by saying we wish the corporation well in its fund-raising programme.

The clause was agreed to.

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

JURIES (COMPENSATION) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

The House adjourned at 10.25 p.m.

Legislative Assembly.

Tuesday, October 27, 1970.

The Speaker (the Hon. Vernon Christie) took the chair at 2.34 p.m., and read the prayer.

QUESTIONS ON NOTICE.

The following answers to questions on notice were circulated:—

LEGAL PROFESSION PRACTICE ACT.

SOLICITORS GUARANTEE FUND: DEFALCATIONS.

Mr. TURNBULL (Brunswick West) asked the Attorney-General—

1. What amounts have been deposited annually with the Law Institute of Victoria pursuant to section 40 of the Legal Profession Practice Act 1958, and what is the present level of such deposits?

2. What amounts have been invested with banks in Victoria and the Treasury, respectively, and what interest has been credited in respect of such amounts?

3. What moneys by way of interest and contributions by solicitors, respectively, have been paid to the Solicitors Guarantee Fund?

4. What is the present level of funds in the Solicitors Guarantee Fund?

5. Since its establishment what amounts have been paid out of the fund in respect of defalcations by solicitors?

6. What amounts have been paid out of the fund for the purposes of the Victoria Law Foundation and what are the details of such expenditure?
7. What amounts have been paid out of the fund in legal aid and whether it is proposed to substantially increase such payments?

8. How many solicitors are awaiting trial in respect of defalcations of trust funds?

9. When were charges laid in respect of such offences and what was the nature of the offence in each case?

10. When such solicitors are likely to be presented for trial?

11. What amount is involved in each case?

Mr. REID (Attorney-General).—The answers are—

1. The amounts deposited annually with the Law Institute of Victoria pursuant to section 40 of the Legal Profession Practice Act 1958 are as follows:-

- 1965 £6,972,453 ($13,944,906)
- 1966 $940,379
- 1967 $877,065
- 1968 $1,259,157
- 1969 $1,314,622
- 1970 $1,485,131

The present level of those deposits is $19,821,260.

2. The whole of the amounts so deposited has been invested with banks in Victoria and no moneys have been invested with the Treasury. The rate of interest was 5 per cent per annum and is now 5½ per cent per annum.

3. The Solicitors Guarantee Fund has received $3,835,489 interest from the investment of moneys deposited with the institute and $409,799 from contributions by solicitors.

4. The amount presently in the Solicitors Guarantee Fund is $2,196,784 from which there should be deducted actual and contingent liabilities amounting to $588,557 in respect of claims admitted but not yet paid and claims received but not yet admitted or rejected.

5. Since the Solicitors Guarantee Fund was established in 1948, $1,641,651 has been paid to claimants in respect of loss suffered as a result of a defalcation. Since the Act was amended in 1966, an additional $301,012 has been paid to claimants as interest at 5 per cent per annum from the date of defalcation to the date of payment of the claim and $26,912 for the claimants' legal costs of making and establishing their claims. However, $417,955 has been recovered from the defaulting solicitors or other persons who have improperly received trust moneys so that the net amount paid out of the fund for claims, interest and costs amounts to $1,551,620.

6. $280,000 has been credited to the Victoria Law Foundation in the Solicitors Guarantee Fund of which $5,000 has been paid to the foundation and the balance remains standing to the credit of the foundation in the fund. Of the sum of $5,000 paid to the foundation, as at 30th September, 1970, the amount of $2,257.93 had been expended on administrative expenses of the foundation, such as salaries, office equipment, stationery and the like. The remainder of the sum of $5,000 is deposited in the foundation's bank account.

The foundation has also approved grants which, although they have not yet resulted in expenditure, should be mentioned. These grants are—

(a) a grant to the University of Melbourne of $25,000 in each of the years 1971, 1972 and 1973 to enable the appointment of three temporary lecturers in the Faculty of Law. The foundation has agreed to increase the grant in any of the three years mentioned, in the event of increases in the level of university salaries, to an amount not exceeding $30,000;

(b) a grant to the La Trobe University of $60,000 to enable legal studies to be commenced in 1972. This will avoid the postponement of commencement of teaching of legal studies at La Trobe University which, but for the grant, would have been unavoidable because of lack of funds; and

(c) a subsidy of $5,750 to enable the publication by the Law Book Company Limited of the first volume of selected judgments of Sir Owen Dixon, the former Chief Justice of the High Court of Australia.

7. $120,000 has been paid to the Treasurer for legal aid during 1970. It is hoped that the amounts so paid will be substantially increased in future years.

8. There are no outstanding trials of solicitors who have been committed for trial in respect of defalcations of trust funds.

9, 10 and 11. In view of the answer to part 8 of the question, these parts do not require an answer.

EDUCATION DEPARTMENT.

MAINTENANCE AND REQUISITE ALLOWANCES FOR SECONDARY SCHOOL PUPILS.

Mr. BORNSTEIN (Brunswick East) asked the Minister of Education—

Whether the Education Department has prepared a table setting out the percentage of pupils at each Government post-primary school in Victoria who received maintenance and requisite allowances for the 1969 school year; if so—(a) at which post-primary schools such allowances were received during 1969, indicating in respect of each school
the percentage of pupils who received the allowances; (b) whether the table has been used as the basis for any policy measures; if so, how it was used; (c) whether he has authorized the regular updating of the figures on a yearly basis contained in the table; if not, why; and (d) whether maintenance and respective allowances are set out separately as percentages in the table; if not, whether he will consider authorizing such a separation in future compilations?

Mr. THOMPSON (Minister of Education).—The answer is—Yes.

(a)
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<tr>
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</table>

**Technical Schools.**
When there is a useful purpose for doing so.

Granting both allowances are the same.

Factors governing the provision of funds for library facilities in schools.

Minister of Education—

Yes.

No; the figures will be up-dated only when there is a useful purpose for doing so.

No; the family income conditions for granting both allowances are the same.

**WESTERN DIVISION: PRIMARY TRAINING SCHOOLS.**

Mr. GINIFER (Deer Park) asked the Minister of Education—

Which primary schools in the Western Division are used as training schools, indicating the primary teachers' college to which each such school is attached?

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<th>No.</th>
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<tr>
<td>Broadmeadows</td>
<td>28</td>
<td>609</td>
</tr>
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</table>

**Mr. THOMPSON (Minister of Education).—The answer is—**

The following primary schools in the Western Division are used as training schools by the Melbourne Teachers College:—

Williamstown North Primary School No. 1409

Essendon North Primary School No. 4015

Moonee Ponds Primary School No. 3987

Strathmore Primary School No. 4612

Essendon Primary School No. 483

Footscray (Geelong Road) Primary School No. 253

Spotswood Primary School No. 3659

Ascot Vale Primary School No. 2608

Footscray (Hyde Street) Primary School No. 1912
Yarraville West Primary School No. 2832  
Aberfeldie Primary School No. 4220  
The Fawkner Primary School No. 3590 and  
the Glenroy Primary School No. 3118 are  
the two schools used as training schools by  
the Coburg Teachers College in the Western Division.

KEILOR SOUTH PRIMARY SCHOOL.

Mr. GINIFER (Deer Park) asked the  
Minister of Education—

1. How many pupils and teachers,  
respectively, now attend the Keilor South  
Primary School, and how many are expected  
to attend in 1971?

2. What measures are proposed to pro­
vide adequate and permanent class-room  
accommodation at the school for next year?

3. How many permanent class rooms  
and portable class-rooms respectively, are  
at the school?

4. Whether the Education Department  
still considers that approximately 780 pupils  
will be the maximum number it is intended  
to teach at this school; if not, what is the  
current estimate and what was the reason  
for the change?

Mr. THOMPSON (Minister of  
Education).—The answers are—

Pupils. Teachers.

1969  425   12  
1970  426   12  
1971  423   12  

2. Four additional class-rooms have been  
approved and will be provided as part of a  
bulk contract for class-rooms in the metrop­

topolitan area.

3. No precise number can be given. This  
will depend on development in the area.

4. Ten permanent class-rooms. One  
portable class-room.

TEACHER HOUSING ACCOMMODATION  
in DAYLESFORD AREA.

Mr. MUTTON (Coburg) asked the  
Minister of Education—

1. How many Education Department  
houses are available for teachers in the  
Daylesford area?

2. Whether he is aware that because of  
the housing shortage, teachers are travelling  
up to 60 miles per day from Ballarat to  
Daylesford in order to attend their respective  
schools; if so, whether the Department is  
prepared to provide additional houses to  
overcome the shortage; if not, why?

Mr. THOMPSON (Minister of  
Education).—The answers are—

1. There are seven departmental residences  
at Daylesford.

2. No, but I have arranged for the depart­
mental residence selection committee to  
consider the general housing position of the  
Daylesford area at its next meeting to be  
held on 23rd November, 1970.

ST. ALBANS PRIMARY SCHOOL.

Mr. GINIFER (Deer Park) asked the  
Minister of Education—

1. How many pupils and teachers, re­
respectively, attended the St. Albans Primary  
School in 1969, how many now attend the  
school, and how many are expected to  
attend in 1971?

2. What measures are proposed to provide  
adequate and permanent class-room accom­
modation at the school for next year?

3. What maximum number of pupils it is  
intended to teach at the school?

4. How many permanent class-rooms and  
portable class-rooms, respectively, are at  
the school?
Mr. THOMPSON (Minister of Education).—The answers are—

1. Pupils. Teachers.
   1969 686 25
   1970 733 28
   1971 820 30

2. No additional permanent accommodation is planned for 1971.

3. No precise number can be given. This will depend on development in the area.

4. No plans exist, at this stage, to replace the old class-rooms.

5. Twenty-two general class-rooms. No portable class-rooms.

RICHMOND PRIMARY SCHOOL.

Mr. HOLDING (Leader of the Opposition) asked the Minister of Education—

Whether he is aware of the recommendation that the buildings comprising the main building at Richmond Primary School No. 2084 ought to be replaced; if so, whether he proposes to act on this report, and, in that event, when it is proposed that plans will be prepared in respect of the new building?

Mr. THOMPSON (Minister of Education).—The answer is—

It is known that the Public Works Department has the condition of the buildings at Richmond Primary School No. 2084 under consideration and that a comprehensive report will be completed and forwarded to the Education Department in the near future.

INNER SUBURBAN SCHOOL CONDITIONS: SURVEY.

Mr. HOLDING (Leader of the Opposition) asked the Minister of Education—

1. Which officers of the Education Department are conducting or have conducted a survey of inner suburban school conditions?

2. When this survey was commenced?

3. Whether the survey is completed; if not, what is the expected time of completion?

4. Whether any interim reports were made by those conducting the survey?

5. Whether he will undertake to provide copies of the survey to honorable members whose electorates contain the schools concerned?

Mr. THOMPSON (Minister of Education).—The answers are—

1. Surveys are made of inner suburban school conditions at frequent intervals by officers of the Survey and Statistics Branch and the assistant directors in charge of sites and buildings for the primary, secondary and technical divisions. They are part of continuous surveys of school needs over the State and no separate report is contemplated.

2 and 3. The surveys are an on-going part of a continuous operation.

4. No separate interim reports are made on specific areas. The needs of the inner suburban areas are part of State-wide planning. Naturally they have high priority. For example, a ring of new multi-storey high schools has been built at Brunswick, Flemington, Richmond, Prahran and (under construction) at South Melbourne. Very costly sites have been purchased in reclaimed inner areas for future primary secondary and technical schools. Additional facilities have been built at George Street, Fitzroy, and planning is well advanced for new primary schools in Carlton and Fitzroy; and for a new education centre in Collingwood.

5. Not applicable.

STATE ELECTRICITY COMMISSION.

POWER SUPPLY FOR MALLACOOTA.

Mr. B. J. EVANS (Gippsland East) asked the Minister for Fuel and Power—

1. What stage has been reached in planning for the extension of State Electricity Commission power to the township of Mallacoota?

2. What is the target date for the connection of this supply?

Mr. BALFOUR (Minister for Fuel and Power).—The answers are—

1. Pending an assurance that finance will be available for the extension of transmitted supply to Mallacoota, the commission has proceeded as far as practicable with its planning. A preliminary survey of the route of the high voltage line has been made and estimates show that the cost of the extension to Mallacoota and acquisition of the local undertaking would be $380,000. This portion of the work would need to be financed by the sale of area loan scrip and the local extension committee has been authorized to proceed with the promotion of the sale of area loan scrip for this purpose. The provision of supply to residents along the route of the high voltage line and to the townships of Genoa and Gipsy Point would cost an additional $60,000 and would need to be financed under the commission's self-help plan.

2. Construction of the extension would require a period of twelve to eighteen months after finance is assured.
Questions

[27 October, 1970.] on Notice. 1281

TARIFF RATES IN BALLARAT AND BENDIGO AREAS.

Mr. TREZISE (Geelong North) asked the Minister for Fuel and Power—

Whether consideration will be given by the State Electricity Commission to a reduction in tariff rates for consumers in the Ballarat and Bendigo areas in the event of savings being made by the abolition of the tramway systems in those areas; if not, why?

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

Electricity tariffs are uniform throughout the State and losses on the tramways systems at Ballarat and Bendigo are being carried by electricity consumers in general. In the event of the tramways being abandoned there would be no departure from the application of uniform tariffs in the Ballarat and Bendigo areas but the resultant savings to the commission would be taken into account in the consideration of future adjustments to the uniform tariffs.

NEGOTIATED INDUSTRIAL TARIFFS.

Mr. TREZISE (Geelong North) asked the Minister for Fuel and Power—

1. What is the electricity tariff charged to Alcoa of Australia Ltd.?

2. What are the conditions of the agreement between the State Electricity Commission and John Lysaght (Aust.) Ltd. in relation to the power supply to the plant installations at Westernport?

Mr. BALFOUR (Minister for Fuel and Power).—The answers are—

1. The commission's supply to Alcoa is charged under a negotiated tariff which takes into account all the costs incurred in providing the supply and allows the commission to interrupt supply to the company's plant on either an immediate or arranged basis.

2. The basic contract recently signed with John Lysaght (Aust.) is related to supply up to 50 megawatts. The standard published industrial tariffs will apply to this supply which is known as stage 1 and which may not be completed until 1978. When the electrical requirements of the plant grow beyond 50 megawatts a further contract which has already been negotiated will operate.

Both the Alcoa tariff and the second stage of the Lysaght tariffs fall within the context of the special provision in the industrial tariff relating to loads of approximately 50 megawatts and above and/or which are capable of periodic interruption by the commission to suit the economic requirements of the supply system. These tariffs were negotiated pursuant to subparagraph (ii) of paragraph (a) of section 20 of the State Electricity Commission Act No. 6377.

YALLOURN TOWNSHIP.

PROPOSED REMOVAL: COMPENSATION.

Mr. AMOS (Morwell) asked the Minister for Fuel and Power—

Why the State Electricity Commission has not discussed with the Yallourn Chamber of Commerce details of the form of compensation for the loss of business in Yallourn as a result of the proposed removal of the township?

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

Although the commission had intended to hold discussions with the chamber of commerce, it subsequently transpired that a number of discussions were held between the Yallourn Town Advisory Council and the chamber of commerce during which the chamber was acquainted with the commission's proposals and, in turn, presented its views which were conveyed to the commission.

In view of this position, the commission considered that further direct consultation with the chamber was no longer necessary.

The Yallourn Town Advisory Council of course is the appropriate channel through which local organizations such as the chamber of commerce should approach the commission on matters relating to the town of Yallourn.

The commission has agreed to purchase a number of shop premises owned by long-term lessees thereby giving them the opportunity to realize on their investments. Also, rents of shops held on short-term leases have been appreciably reduced, and a system has been introduced whereby these rents will be further reduced at a rate of one and a half times the percentage decline in the household population of Yallourn at 30th June each year.
RAILWAY DEPARTMENT.
LEASE OF AIR SPACE ABOVE STATIONS.

Mr. FLOYD (Williamstown) asked the Minister of Transport—

Whether the Railway Department has a special sub-committee investigating the possibilities of leasing air space above stations and other suitably situated sites such as the area facing Wellington Parade, East Melbourne; if so—(a) whether any sites have been selected; (b) what progress has been made towards exploiting the sites; and (c) where these are located; if not, whether such an investigation will be made?

Mr. WILCOX (Minister of Transport).—The answer is—
(a) The railways Chief Estate Officer, assisted by a leasing sub-committee, is constantly reviewing the question of leasing both air rights and ground space.
(b) and (c) The commissioners have accepted a tender for a site in Wellington Parade, East Melbourne, but a planning permit has not yet been issued by the Melbourne and Metropolitan Board of Works.

Another air rights lease has been granted at South Yarra.

Tenders have closed for leasing land over the Spencer Street station car park and are now being processed.

Currently, the railways are investigating proposals at Flinders Street and Footscray.

CLAIMS FOR LOST AND DAMAGED GOODS.

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

1. How many claims were made against the Victorian Railways Commissioners for loss or damage to goods in transit in each of the past two financial years?
2. How many such claims were accepted and what total amount was paid by way of compensation?

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

1. 1968-69 . . . 42,381
   1969-70 . . . 43,603
2. Charges Compensation accepted. Compensation paid.
   $ 1968-69 . . . 28,607 . . . 369,290
   1969-70 . . . 31,068 . . . 507,490

TRANSPORT REGULATION BOARD.

NEW BairNSDALE OFFICES.

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

What stage has been reached in planning for the construction of Transport Regulation Board offices in McLeod Street, Bairnsdale, and when it is expected tenders will be called?

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

Lease of land in McLeod Street, Bairnsdale, from the Railways Commissioners has been finalized. The board's architect has drawn preliminary plans and it is expected that tenders will be called some time next year.

MELBOURNE AND METROPOLITAN TRAMWAYS BOARD.
NIGHT TRAM SERVICES.

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

What reduction in tram services in the metropolitan area between the hours of midnight and 7 a.m. has been made compared with similar services operating in 1960?

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

Between 1960 and 1970 ordinary week-day tram services between the hours of midnight and 7 a.m. have been reduced from a total of 281 trips to 253 trips—a reduction of 38 tram trips. Last trams leaving the city around midnight have not been changed.

MELBOURNE AND METROPOLITAN BOARD OF WORKS.
RING ROAD: ACQUISITION OF PROPERTIES FOR EASTERN SECTION.

Mr. CLAREY (Melbourne) asked the Minister of Transport, for the Minister for Local Government—

1. What liability has been incurred to date by the Melbourne and Metropolitan Board of Works in the planning and in the acquisition of properties, respectively, for the eastern section of the proposed ring road, showing in respect of such acquisitions—(a) particulars of the properties purchased; (b) dates of acquisition; and (c) prices paid, or agreed to be paid?
2. What further expenditure of a similar nature is expected?
3. Whether all the buildings acquired have been, or are to be demolished; if not, how they will be disposed of?

Mr. WILCOX (Minister of Transport).—The answers supplied by the Minister for Local Government are—

1. In respect of the eastern section of the ring road, showing in respect of such acquisitions—(a) particulars of the properties purchased; (b) dates of acquisition; and (c) prices paid, or agreed to be paid—
   (i) Planning and design, including investigation of various alternatives and progress payment of consultants fees, $372,180.
(ii) Property acquisition when land is reserved in the Metropolitan Planning Scheme and owners have requested purchase—

50 Jolimont Street—
12th August, 1965—$16,500
52 Jolimont Street—
7th February, 1964—$31,000
12 Jolimont Terrace—
12th January, 1965—$46,950
14 Jolimont Terrace—
22nd February, 1964—$53,000
28 Jolimont terrace—
7th May, 1964—$102,000
30 Jolimont Terrace—
7th May, 1964
42 Jolimont Terrace—
7th January, 1969—$37,500

87 Wellington Parade
South—
20th June, 1968—$34,500
Corner Jolimont Terrace
and Jolimont Street—
8th November, 1963—$26,000
Corner Clarendon Street
and Albert Street—
11th Nov., 1963—$140,000
254 Albert Street—
28th June, 1968—$175,000
260 Albert Street—
28th June, 1968
23 Clarendon Street—
28th October, 1965—$95,000
338 Victoria Parade—
12th October, 1967—$67,878
346-348 Victoria Parade—
20th Sept., 1967—$29,550
353-358 Victoria Parade—
9th August, 1968—$39,000

Additional costs in connection with acquisition—$12,249

Total of (i) and (ii): $1,278,307

2. Further expenditure on stage 1 of the project is estimated at:

Property acquisition, including
$41,900 as agreed to be paid
for 40 Jolimont Terrace, approxi-
mately . . . . $600,000
Planning and design, including
further consultants fees, approxi-
mately . . . . $250,000

$850,000

3. Other than the improvements at the corner of Jolimont Terrace and Jolimont Street (which were demolished in 1964) no buildings have been demolished in the area. All the buildings in the path of the proposed road would have to be demolished if the project were to proceed.

LOWER YARRA DAM COMPLEX:
ACQUISITION OF PROPERTIES.

Mr. FLOYD (Williamstown) asked the Minister of Transport, for the Minister for Local Government—

Whether land has been purchased or acquired by the Melbourne and Metropolitan Board of Works for each of the following sections of a possible Lower Yarra dam complex—Yarra Brae dam; Sugarloaf Creek catchment; and Watson's Creek catchment; if so—(a) what is the total area; (b) what was the board's expenditure in each of these areas to date; and (c) what use has been made of acquired land and whether the board is obtaining any revenue from its use, and in that event, what sum was so gained to the end of the last financial year; if not, whether the board rejected the recommendation of the Public Works Committee in its report on Melbourne's future water supply?

Mr. WILCOX (Minister of Transport).—The Minister for Local Government has supplied the following answers:

(a) 4,922 acres.
(b) Yarra Brae . . . . $125,088
Sugarloaf Creek . . . . $162,400
Watson's Creek . . . . $1,740,620

(c) As far as possible the board seeks to have the existing use continued but, in some instances, has had to demolish houses because of dilapidation and remove orchards as the result of not being able to let these properties.

The rent revenue to 30th June, 1970, was $79,870.

UPPER YARRA DAM: OVERFLOW OF WATER.

Mr. FLOYD (Williamstown) asked the Minister of Transport, for the Minister for Local Government—

1. How many times the Upper Yarra dam has overflowed since the drought of 1967-68?
2. What were the dates of the commencement and how long the overflow continued in each case?
3. How many gallons overflowed from the dam in each case?

Mr. WILCOX (Minister of Transport).—The answers supplied by the Minister for Local Government are—

1. Since the 1967-68 drought, there have been three separate continuous periods of overflow from Upper Yarra dam.
2. The actual commencement and finishing dates of these periods are as follows:—

   Period 1
   30th November, 1968 to 8th December, 1968, i.e., 9 days.
Period 2.
4th August, 1969 to 26th October, 1969,
i.e., 84 days.

Period 3.
13th June, 1970 to 12th October, 1970,
i.e., 122 days.

3. The quantity of spill water which over­
flowed on each occasion is as follows:—
Period 1.—454.8 million gallons.
Period 2.—7,420.1 million gallons.
Period 3.—30,356.6 million gallons.

SCAFFOLDING ACCIDENT AT ESSENDON
NORTH.

Mr. SIMMONDS (Reservoir) asked
the Minister of Labour and Industry—

Whether a scaffolding accident occurred
on the Melbourne and Metropolitan Board
of Works site at Lebanon Street, Essendon
North, on 15th October, 1970; if so—(a)
how many workers were injured; (b) what
was the extent of the injuries; (c) how
long it is expected that each injured worker
will be unable to work, with respect to each
worker—(i) what was his income prior to
the accident; (ii) what is his income during
the period of absence from his employment;
and (iii) how many dependants are involved
in each case; (d) whether the employer con­
cerned is the Steel Protection Company of
Geelong; and (e) whether the Department
of Labour and Industry was notified of the
accident?

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

(a) Four.
(b) One worker remained on site and
continued to work despite some bruising.
Three others were taken to Royal Mel­
bourne Hospital.

Condition of these taken to hospital was—
One—critical;
Two—serious.

(c) The information regarding the men's
condition, wages, dependants, etc., has
been supplied by their employer, the Steel
Protection Company of Geelong, and is as
follows:—

The critically injured man was released
from hospital but readmitted, and is still
in hospital.

Of the two seriously injured men, one
is still in hospital and is expected to be
in bed for at least four weeks.

The other seriously injured man is at
present at home but off work.

(i) Income prior to accident—
K. Baker—$71.45 per week.
T. Polimeni—$75.65 per week.
A. Alessi—$71.45 per week.
S. Coggle—$71.45 per week.
(ii) Income during period of incapacity—
Workers compensation only.
(iii) Dependants—
K. Baker—Wife only.
T. Polimeni—None.
A. Alessi—None.
S. Coggle—Wife.
(d) Yes.
(e) Yes.

CITY OF ALTONA.

DECLARATION AS SEWERAGE DISTRICT
OR AREA.

Mr. FLOYD (Williamstown) asked
the Minister of Transport, for the
Minister for Local Government—

1. Whether the whole of the City of
Altona has been declared a sewerage
district or area for the purpose of being
liable for Melbourne and Metropolitan Board
of Works sewerage rating or whether parts
of the municipality are being so declared
as progress is made with the sewerage
system?

2. If declaration is being made in stages,
how many housing and factory units are
now capable of being connected in each
section, respectively, how many have
applied, and how many have not applied?

Mr. WILCOX (Minister of Trans­
port).—The Minister for Local
Government has supplied the follow­
ing answers:—

1. Parts of the City of Altona have been
declared as sewerage areas within the
meaning of the Act as progress has been
made with the extension of the board's
sewerage system.

2. Within the City of Altona, sixteen
separate sewerage areas have been declared
totalling 4,027 properties. Of these, 2,600
have been connected to the sewerage
system.

The information as to the number of
connected properties in each declared
sewerage area and whether the property is
being used for industrial or residential
purposes is not readily available.

CITY OF MELBOURNE.

GENERAL VALUATION.

Mr. WILKES (Northcote) asked
the Minister of Transport, for the
Minister for Local Government—

1. When the last general valuation of the
City of Melbourne was approved by the
Valuer-General?

2. What percentage of market value this
valuation represented?
Questions

[27 October, 1970.]

on Notice.

3. When the next general valuation of the city will be made and presented to the Valuer-General for approval?

Mr. WILCOX (Minister of Transport).—The answers supplied by the Minister for Local Government are—

1. The Valuer-General certified to the Minister for Local Government on 3rd April, 1970, that the last general valuation was generally true and correct.

2. The valuation returned represented market value as at 31st December, 1965, the date fixed by the Minister for Local Government for the whole of the metropolitan area as the date at which the value of all rateable property was to be assessed.

3. The next general valuation to be made at a changed level of value (as at 31st December, 1969, the date fixed for the next valuation of the whole of the metropolitan area) is expected to be returned to the council late in 1972, to be followed soon after by the statutory report by the valuer to the Valuer-General.

DEPARTMENT OF AGRICULTURE.

AGRICULTURAL EXTENSION OFFICERS.

Mr. E. W. LEWIS (Dundas) asked the Minister of Lands, for the Minister of Agriculture—

1. How many agricultural extension officers are employed by the Department of Agriculture, indicating where they are stationed and in what field they are employed?

2. Whether any additional extension officers will be employed in 1971; if so, how many and when they will be appointed?

3. Whether the Minister has had any requests to station officers permanently in the small towns of western Victoria?

Mr. BORTHWICK (Minister of Lands).—The answer supplied by the Minister of Agriculture is—

The information sought by the honorable member is being prepared and will be furnished as soon as possible.

MEAT INDUSTRY.

EXPORTS AND IMPORTS OF LAMB: NEW ZEALAND SYSTEM.

Mr. E. W. LEWIS (Dundas) asked the Minister of Lands, for the Minister of Agriculture—

1. Whether, as New Zealand lamb is placed on the British market throughout the year, the Minister will study the system used in New Zealand for the export of lamb with the view of adopting the same system for marketing of Victorian lamb?

2. Whether the Minister is aware of the extensive storage facilities provided for the export of lamb from New Zealand?

Mr. BORTHWICK (Minister of Lands).—The Minister of Agriculture has supplied the following answers:—

1. While it is important that we should constantly study the activities of New Zealand in its lamb export trade with Britain, the differences between the New Zealand and Victorian lamb industries are highly significant.

New Zealand exports almost 300,000 tons of lamb to the United Kingdom annually, while Australia exported a total of less than 17,000 tons to the United Kingdom in the financial year 1969-70, or about 6 per cent of the New Zealand total. Victoria's share of the United Kingdom market was therefore much less than 6 per cent in 1969-70.

Victoria's lamb industry primarily serves the home market, and the quantity available for export varies widely from year to year.

Because local prices are generally higher than the prices available for export to Britain, lamb is exported to Britain when there is a surplus over home consumption requirements, which usually occurs for only a short period each year.

Most of this is timed to arrive in Britain in the October-January period, after the seasonal flush in United Kingdom output and before the flush of arrivals of new season's lamb from New Zealand, and while prices can be expected to be at or near their highest levels for the year.

At other times of the year, Victorian lamb offered for sale in Britain must compete with supplies of either locally produced or New Zealand lamb, with the likelihood of lower prices for Victorian lamb during the British spring and summer months.

There would appear to be little evidence that Victorian lamb producers would stand to gain financially from placing their lamb on the British market throughout the year under the present circumstances.

This opinion coincides with that of the Australian Meat Board, which is responsible for export market development and promotion for Australian lamb. The board has recently established a committee to investigate lamb marketing on both local and export markets to determine whether any changes in the present system are desirable. The report of this committee will be examined as soon as it is available.

2. Yes. However so far as I am aware adequate cold storage facilities, including those at the Government Cool Stores, are available in Victoria for export lamb.
Mr. CURNOW (Kara Kara) asked the Minister of Lands, for the Minister of Agriculture—

If he will ascertain and inform the House—

1. What quantity of New Zealand lamb was imported into Victoria in each of the past twelve months?

2. Who are the importers of the New Zealand lamb and what price is being paid?

Mr. BORTHWICK (Minister of Lands).—The answer supplied by the Minister of Agriculture is—

The information sought by the honorable member is not available in my department. However, I have asked the Commonwealth Minister for Trade and Industry whether he can provide the information requested, and I shall advise the honorable member as soon as a reply is received.

BRIDGES.

INSPECTIONS.

Mr. W. J. LEWIS (Portland) asked the Minister of Labour and Industry, for the Minister of Public Works—

1. Which authority or authorities are responsible for the inspection of road bridges in Victoria?

2. How often inspections are carried out and whether the results of these inspections are made public?

Mr. RAFFERTY (Minister of Labour and Industry).—The Minister of Public Works has supplied the following answers:—

1. The Country Roads Board is responsible for the inspection of road bridges on State highways, tourists' roads, forest roads and freeways declared or proclaimed under the provisions of the Country Roads Act. The board also assists municipal councils with the inspection of bridges on main roads declared under the provisions of the Country Roads Act and on unclassified roads under the care and management of municipal councils. The Melbourne and Metropolitan Board of Works is responsible for inspections of those bridges which are metropolitan bridges, or form part of metropolitan main highways, under the Melbourne and Metropolitan Board of Works Acts and the King Street Bridge Act.

2. Regular detailed inspections of bridges are carried out having regard to the type, age and the condition of the structure.

The results of the inspections are not published but inspection reports on bridges for which municipal councils are responsible are made available to the councils concerned.

QUESTIONS WITHOUT NOTICE.

UNDERGROUND RAILWAY.

Mr. TREZISE (Geelong North).—Will the Premier inform the House whether the Prime Minister has yet provided or agreed to provide finance for the proposed Melbourne underground railway; if not, what is the reason for the refusal by the Prime Minister?

Sir HENRY BOLTE (Premier and Treasurer).—Legislation relating to this matter will be introduced this week. Why the Prime Minister or the Federal Treasurer have not assisted in the financing of the Melbourne underground railway, or the Sydney one for that matter, is best known to themselves.

VICTORIAN RAILWAYS.

Mr. FORDHAM (Footscray).—Some time ago the Premier informed the House that he had written to the Prime Minister offering the Victorian Railways to the Commonwealth. Has the honorable gentleman received a reply from the Prime Minister?

Sir HENRY BOLTE (Premier and Treasurer).—The answer is, “No.”

BENDIGO TRAMWAYS.

Mr. SHILTON (Midlands).—This morning the Minister for Fuel and Power received deputations from the Bendigo City Council and the Eaglehawk Borough Council; in view of the strength of the deputations will the honorable gentleman consider the desirability of establishing a public transport system in Bendigo?

Mr. BALFOUR (Minister for Fuel and Power).—I did receive the deputations this morning, which presented their views to me. If Parliament decides that both the Bendigo and the Ballarat tramway systems should be abandoned, it would be Government policy to replace them with bus transport systems operated by private enterprise.
HOUSING COMMISSION.

Mr. DOUBE (Albert Park).—Will the Minister of Housing outline the building experience of Silverton and General Transport Industries Ltd, which has acquired property in South Melbourne from the Housing Commission?

Mr. MEAGHER (Minister of Housing).—I am not familiar with the ramifications of the building experience of the firm in question. If the honorable member will place his question on the Notice Paper, I shall have inquiries made and advise him in due course.

Mr. WILKES (Northcote).—I ask the Minister of Housing: What effect on Housing Commission administration, particularly in relation to private development of land acquired by the commission, has the takeover of Master Builders (Associated) Redevelopments Ltd by A. V. Jennings Industries (Aust.) Ltd had?

Mr. MEAGHER (Minister of Housing).—I do not understand the import of the honorable member’s question; if he will clarify it, I may be able to provide an answer.

Mr. WILKES (Northcote).—There appeared to be a satisfactory arrangement when Master Builders (Associated) Redevelopments Ltd., which comprised fourteen companies, was responsible for private development. I ask the Minister whether, when it was taken over by A. V. Jennings Industries (Aust.) Ltd., this had any effect on the administration of the Commission?

Mr. MEAGHER (Minister of Housing).—I understand that the original firm consisted of fourteen members, and that thirteen of them withdrew from the association. This had no effect on the administration of the commission.

Mr. HOLDING (Leader of the Opposition).—Does the Minister of Housing concede that, in view of the fact that he has given some areas of land to private developers on which to build housing, these private builders have any greater technical competence or experience than that contained within the Housing Commission to build housing?

Mr. MEAGHER (Minister of Housing).—Firstly, the Housing Commission does not give the land to these developers—it sells it. Secondly, the Housing Commission would not be so irresponsible as to sell land to somebody who had a bad record of housing development.

Mr. HOLDING (Leader of the Opposition).—I will repeat the question that the Minister evaded.

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member may ask another question.

Mr. HOLDING.—Very well. Does the Minister of Housing think that within the Housing Commission there is sufficient experience and talents in building to adequately build——

The SPEAKER.—The honorable member is asking for an opinion; the question should be reframed.

Mr. HOLDING.—I shall rephrase the question. Does the Minister of Housing concede that any private builder has any greater experience to build all forms of housing than that which is contained within the Housing Commission?

The SPEAKER (the Hon. Vernon Christie).—Order! The Leader of the Opposition is asking for an opinion.

Mr. HOLDING.—Is it a fact that the capacity of the Housing Commission to build houses of any sort is equal to that of private enterprise?

Mr. MEAGHER (Minister of Housing).—The answer is, “Yes.”

“PEOPLE IN POVERTY.”

Mr. TREZISE (Geelong North).—Has the Chief Secretary, in recent days, received and read a copy of the book, People in Poverty; if so, would he care to comment on its contents?
Sir ARTHUR RYLAH (Chief Secretary).—I have not received the book or read it, so I have no opinion concerning it.

EXPORT OF BRIQUETTES.

Mr. AMOS (Morwell).—Can the Minister for Fuel and Power inform the House whether briquettes have been exported from Victoria; if so, to whom, and for what purpose?

Mr. BALFOUR (Minister for Fuel and Power).—I understand that briquettes have been exported to Japan. The purpose of the exports, which were of varying quantities, was to enable processes and experiments to be carried out in relation to the production of metallurgical char.

NEW HIGH SCHOOL IN GLENROY.

Mr. WILTON (Broadmeadows).—Will the Minister of Education inform the House what steps have been taken by the Education Department to establish a new high school in the Glenroy area to overcome the current accommodation problems experienced by the several secondary schools in that area?

Mr. THOMPSON (Minister of Education).—Early this year, consideration was given to this question, and it was thought the priority claims of Thomastown were greater and that additional enrolments could be catered for by certain additions to the buildings in Glenroy.

HOUSING COMMISSION.

Mr. WILKES (Northcote).—Can the Minister of Housing inform the House whether the Housing Commission intends to dispose of any other areas of reclaimed land to private developers; if so, where is the land situated?

Mr. MEAGHER (Minister of Housing).—The question will be determined as occasion warrants, and suitable notification and publication of the decisions will be made.

PET FOODS.

Mr. FELL (Greensborough).—I direct a question to the Minister of Health. What action has been taken to require the manufacturers of pet foods to have their containers labelled with the ingredients, namely, the type of meat contained therein?

Mr. ROSSITER (Minister of Health).—This question is currently under consideration. The Department of Health is considering the issue of regulations to require manufacturers of pet foods to do certain things in relation to their manufactures.

VENEREAL DISEASE.

Mr. EDMUNDS (Moonee Ponds).—Has the Minister of Health seen reports that doctors are not reporting cases of venereal disease in Victoria; if so, what action does the Department of Health intend to take to ensure that the law is enforced?

Mr. ROSSITER (Minister of Health).—I have seen the reports, and have discussed them with the chief officers of the Department of Health, who have indicated that from time to time there may be cases that are not reported by private doctors to the authorities responsible for the control of venereal disease. The matter is still being considered, and I will report to the honorable member as soon as any further information is available.

GAS AND FUEL CORPORATION.

Mr. HOLDING (Leader of the Opposition).—I address a question to the Minister for Fuel and Power. In view of the fact that the Gas and Fuel Corporation has begun to sell liquefied petroleum gas in competition with private companies, will the Minister inform me whether the corporation is endeavouring to purchase the gas on the same conditions as those which Esso-BHP have given to the Japanese? If not, why not? What arrangements does the Minister propose to make to see that retailers
of liquefied petroleum gas have the same trade advantages as overseas manufacturers?

Mr. BALFOUR (Minister for Fuel and Power).—To now, the Gas and Fuel Corporation has been purchasing liquefied petroleum gas under contracts with the established refineries. If the Bill to ratify the agreement for the corporation to take over the Gas Supply Company is passed by Parliament—as I hope it will be—the corporation will enter into a new field of activity and will supply liquefied petroleum gas in country areas. At this stage, certain negotiations are under way. I regret that I cannot give the honorable member any further information.

LOADING OF CHAR.

Mr. AMOS (Morwell).—Has the Minister for Fuel and Power seen an article in the November edition of State Electricity Commission News which states that char from the Australian Char Company was loaded through the State Electricity Commission briquette loading bay at Morwell? If that was done, under what arrangements was the char loaded by State Electricity Commission personnel?

Mr. BALFOUR (Minister for Fuel and Power).—There is an arrangement between the State Electricity Commission and the Australian Char Company under which briquettes are sent from the briquetting factory to the char factory. After the char is manufactured, it goes back on a conveyor and is loaded into Victorian railway trucks, brought to the bulk store, and taken from there to the ship. This arrangement is made under an agreement between the State Electricity Commission and the Australian Char Company, and the company pays rates equivalent to the value of the work done.

KANGAROO MEAT.

Mr. FELL (Greensborough).—I address a further question on the subject of kangaroo meat to the Minister of Health. Is it a fact that most of the kangaroo meat processed for pet food in Victoria comes from other States, and when will the cans have the kangaroo meat content stated on them?

Mr. ROSSITER (Minister of Health).—I can answer the first part of the question. It is a fact that the greater proportion of edible food for pet food comes to Victoria from other States, and the greater proportion of that is kangaroo meat. Apart from that, there is no jurisdiction within the Department of Health to govern the processing of this food in cans.

POINT ORMOND RESTAURANT.

Mr. EDMUNDS (Moonee Ponds).—Has anybody requested the Minister of Lands to stop the planning or the construction of a restaurant at Point Ormond? If so, what action has the Minister taken?

Mr. BORTHWICK (Minister of Lands).—The establishment of the restaurant at Point Ormond was approved by this Parliament when it passed the Bill which became the St. Kilda Land Act of 1965. In passing that Bill, Parliament quite openly authorized the St. Kilda City Council to lease up to 1 acre of land specifically for this purpose. The council had the 1 acre site approved by the Surveyor-General and the Minister of Lands in 1968. The council then called tenders for a restaurant type of development in that area, and submitted them to the Lands Department. Under the measure, which was passed unanimously in both Houses of this Parliament in 1965, the council was authorized to enter into the lease. The interest of the Minister of Lands at this stage is that the actual specifications and working drawings—not a plan—need to be approved. I emphasize that point because, whilst no official representations have been made to me about stopping the construction of the restaurant, yesterday I received one anonymous letter and one private letter on the subject. I have received no other representations of any kind. The project is authorized by the Parliament of this State.
SENIOR HIGH SCHOOLS.

Mr. WILTON (Broadmeadows).—Will the Minister of Education inform the House whether the Government proposes to continue with its plan to establish senior high schools in Victoria; if so, where does the Government propose to establish the first senior high school, and when?

Mr. THOMPSON (Minister of Education).—Yes, it is intended to begin the first experiment at Broadmeadows. It had been hoped that the school would be ready within fifteen months, but it will be impossible to complete it by that time.

FARES FOR PENSIONERS.

Mr. TREZISE (Geelong North).—Is the Minister of Transport aware that in a recent statement the Minister of Transport of New South Wales said that pensioners in that State would receive subsidized concessional fares on private bus routes; if so, what is the possibility of Victorian pensioners receiving similar concessions?

Mr. WILCOX (Minister of Transport).—I am not aware of the statement which is alleged to have been made by the Minister of Transport in New South Wales. The second part of the honorable member's question relates to a matter which involves the Treasurer. I know of no plan in that connection.

RABBIT MEAT.

Mr. W. J. LEWIS (Portland).—Can the Minister of Health advise the House whether rabbit meat which is sold for human consumption is subject to the same inspection as other meats?

Mr. ROSSITER (Minister of Health).—Certain requirements are laid down by the health officer of the Melbourne City Council in respect of the preparation of rabbit meat within the Melbourne City Council's area; that is, within 3 miles of the town hall.

PET FOODS.

Mr. FELL (Greensborough).—Can the Minister of Health inform the House which department regulates the processing and labelling of containers of pet foods?

Mr. ROSSITER (Minister of Health).—The Department of Health lays down conditions of hygiene under which food is canned for human consumption and also for consumption by pets. Tests are also made to ensure that pet food is not harmful to human beings since, from time to time, human beings do consume pet food. Apart from that, there is no control over the labelling or type of container in which this food is sold.

PRIMARY SCHOOLS.

Mr. E. W. LEWIS (Dundas).—Can the Minister of Education inform me how many primary schools will be closed in rural areas in 1971?

Mr. THOMPSON (Minister of Education).—No predetermined number of primary schools will be closed this year, next year, or any other year. Where local residents desire to see the consolidation of primary education in a particular area, the Education Department will readily co-operate.

VENEREAL DISEASE.

Mr. KIRKWOOD (Preston).—I ask the Minister of Health: In view of the reported spectacular increase in venereal disease in Victoria, what publicity will the Department of Health use to highlight this serious problem?

Mr. ROSSITER (Minister of Health).—I join issue with the honorable member from north of the Tweed in regard to the use of the word "spectacular". The position is tragic and, within its charter, the Department of Health will maintain the treatment of venereal disease as efficiently as possible. However, prevention is another matter, which may come within certain aspects of the
Department of Health. The prevention of venereal disease is related to the whole moral, physical and ethical values of the community.

SCHOOL AT DRUNG DRUNG.

Mr. E. W. LEWIS (Dundas).—I ask the Minister of Education whether the parents of children attending school at Drung Drung have agreed to the closure of that school.

Mr. THOMPSON (Minister of Education).—I am not familiar with the school at Drung Drung, but I shall check to ensure that there has been some consultation with parents of children at the school.

GAS TARIFFS.

Mr. WILTON (Broadmeadows).—By leave, I move—

That there be laid before this House a return showing—

1. The gas tariffs now being charged by the Gas Supply Company Limited in the following areas:—Ballarat, Ararat, Stawell, Warracknabeal, Hamilton, Portland, Warrnambool, Colac, Bacchus Marsh and Wodonga, respectively;

2. The tariffs applying in those areas on the taking-over of the above company undertaking by the Gas and Fuel Corporation of Victoria; and

3. The present corporation gas tariff in the City of Melbourne.

The motion was agreed to.

Mr. BALFOUR (Minister for Fuel and Power) presented a return in compliance with the foregoing order.

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

HOUSING COMMISSION.

Slum Reclamation.

Mr. EDMUNDS (Moonee Ponds).—I desire to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, “the action of the Government in reclaiming areas of land for the purposes of slum reclamation and the reselling of those areas at a huge loss to private developers.”

Sir HENRY BOLTE (Premier and Treasurer).—I raise a point of order. This motion is based on its urgency. However, the Government has adopted the same policy in regard to slum reclamation for the past eleven years. I fail to see how the matter can be urgent, particularly as honorable members have had the opportunity of speaking to the Budget and the Supply debates.

The SPEAKER (the Hon. Vernon Christie).—Order! I have not ruled on the matter.

Sir HENRY BOLTE.—I am attempting to assist you, Mr. Speaker.

The SPEAKER.—I had the opportunity of seeing this motion shortly before the House met. On the basis of usage and precedent the motion is out of order on two main grounds. The first is that it is couched in general terms in more than one respect, and it should not be couched in general terms. May's Parliamentary Practice, in dealing with the question of adjournment motions, at page 365 states that the matter must be “of recent occurrence and raised without delay.” Rulings have been given on this point on more than one occasion; I have ruled on at least two occasions that the matter must be of recent occurrence and raised without delay. The motion refers to the action of the Government in reclaiming areas of land for the purposes of slum reclamation and the reselling of those areas at a huge loss to private developers.

On checking, I find that this action has been going on in these terms for over ten years, and therefore the matter is not of recent occurrence and raised without delay. For those two main reasons I rule that the motion for the adjournment of the House is out of order, but I suggest to the Minister in charge of the House that as the matter is of concern to the honorable member for Moonee...
Ponds, and doubtless to other honourable members, an early opportunity might be given for it to be discussed in the House. There will be three items on which it could be discussed. The first is Order of the Day No. 1 on the Notice Paper for tomorrow, Urban Renewal Bill (No. 2); the second is Supply and the third is the Address-in-Reply, both of which are on the Notice Paper for today.

AUDIT (AUDITOR-GENERAL) BILL.

Sir ARTHUR RYLAH (Chief Secretary), by leave, moved for leave to bring in a Bill to amend section 4 of the Audit Act 1958 and for other purposes connected therewith.

The motion was agreed to.

The Bill was brought in and read a first time.

METROPOLITAN FIRE BRIGADES (AMENDMENT) BILL.

Sir ARTHUR RYLAH (Chief Secretary), by leave, moved for leave to bring in a Bill to amend the Metropolitan Fire Brigades Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

SOCIAL WELFARE BILL.

Sir ARTHUR RYLAH (Chief Secretary), by leave, moved for leave to bring in a Bill to establish a Social Welfare Department, to make provision with respect to the functions of that department, to re-enact with amendments certain provisions of the Children’s Welfare Act 1958, the Gaols Act 1958, the Street Trading Act 1958, the Youth Organizations Assistance Act 1958, and the Social Welfare Act 1960 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

CRIMINAL APPEALS BILL.

Mr. REID (Attorney-General), by leave, moved for leave to bring in a Bill to amend Part VI. of the Crimes Act 1958 and Part V. of the Justices Act 1958 with respect to appeals in certain cases and for purposes connected therewith.

The motion was agreed to.

The Bill was brought in and read a first time.

MINES (COMPENSATION) BILL.

Mr. BALFOUR (Minister of Mines), by leave, moved for leave to bring in a Bill to amend the Mines Act 1958 with respect to the payment of compensation for damage arising out of mining activities and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

GAS FRANCHISES BILL.

Mr. BALFOUR (Minister for Fuel and Power), by leave, moved for leave to bring in a Bill with respect to the right of the Gas and Fuel Corporation of Victoria and the Colonial Gas Association Limited to supply gas in certain areas and for other purposes.

The motion was agreed to.

The Bill was brought in and read a second time.

VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL.

Mr. BORTHWICK (Minister of Lands), by leave, moved for leave to bring in a Bill to amend the Vermin and Noxious Weeds Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.

LABOUR AND INDUSTRY (AMENDMENT) BILL.

Mr. RAFFERTY (Minister of Labour and Industry), by leave, moved for leave to bring in a Bill to amend the Labour and Industry Act 1958.

The motion was agreed to.

The Bill was brought in and read a first time.
LIFTS AND CRANES (AMENDMENT) BILL.

Mr. RAFFERTY (Minister of Labour and Industry), by leave, moved for leave to bring in a Bill to amend the Lifts and Cranes Act 1967 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL.

Mr. BORTHWICK (Minister of Lands) presented a message from His Excellency the Lieutenant-Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill to amend sub-section (2) of section 82 of the Country Fire Authority Act 1958.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Mr. BORTHWICK (Minister of Water Supply), the Bill was brought in and read a first time.

ABORIGINAL LANDS BILL.

Mr. MEAGHER (Minister for Aboriginal Affairs) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill to provide for the lands reserved for the use of Aborigines at Framlingham and Lake Tyres to be vested in a Framlingham Aboriginal Trust and a Lake Tyers Aboriginal Trust respectively, to regulate the affairs of the said trusts, to amend the Aboriginal Affairs Act 1967 and the Land Tax Act 1958, and for other purposes.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Mr. MEAGHER (Minister for Aboriginal Affairs), the Bill was brought in and read a first time.

STATE DEVELOPMENT BILL.

Sir HENRY BOLTE (Premier and Treasurer) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill to establish a Department of State Development to promote and co-ordinate activities leading to the full and proper development of the State and for other purposes.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Sir HENRY BOLTE (Premier and Treasurer), the Bill was brought in and read a first time.

MELBOURNE UNDERGROUND RAIL LOOP BILL.

Mr. WILCOX (Minister of Transport) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill to constitute an authority to co-ordinate the financing and construction of an underground rail loop and ancillary works for the purpose of increasing the capacity and efficiency of the existing Melbourne suburban rail network to authorize the construction of that underground rail loop and those ancillary works and for other purposes.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Mr. WILCOX (Minister of Transport), the Bill was brought in and read a first time.

STATE FORESTS WORKS AND SERVICES BILL.

Mr. MEAGHER (Minister of Forests) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill to authorize expenditure on works and services and other purposes relating to State forests.
A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Mr. MEAGHER (Minister of Forests), the Bill was brought in and read a first time.

**WATER SUPPLY WORKS AND SERVICES BILL.**

Mr. I. W. SMITH (Minister of Water Supply) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill to authorize expenditure on works and services and other purposes relating to irrigation water supply drainage sewerage flood protection and river improvement, and other purposes.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Mr. I. W. SMITH (Minister of Water Supply), the Bill was brought in and read a first time.

**SCIENCE MUSEUM OF VICTORIA BILL.**

Mr. THOMPSON (Minister of Education)—I move—

That this Bill be now read a second time.

Until the year 1965, the National Gallery, the Institute of Applied Science, the National Museum and the State Library worked under the one Act of Parliament. The functions and duties of the trustees of the four bodies in question were set out in the one enactment. In 1965, an inquiry was held into the workings of the State Library, and as a result of the recommendations of the body of inquiry, a separate Bill was passed by Parliament governing the duties, responsibilities and functions of the trustees of the State Library.

The Bill now under consideration follows the same principle in relation to the Institute of Applied Science, which will become known as the Science Museum of Victoria, as the title of the measure clearly indicates.

This institution, as honorable members know, is managed by trustees appointed under the provisions of the State Library National Gallery National Museum and Institute of Applied Science Act 1960. It is the last of the four institutions set up under that Act to be controlled by separate legislation.

The Council of the Science Museum will consist of not more than nine and not less than seven members appointed by the Governor in Council. Sub-clause (1) of clause 6 provides that the council shall consist of one person who holds a senior academic office in a university or college of advanced education in Victoria; one person who in the opinion of the Minister is distinguished in the field of scientific or technical education; one person who in the opinion of the Minister is distinguished in the field of commerce, industry or administration; one person interested in applied science, who is resident outside the metropolitan area; one person who in the opinion of the Minister is distinguished in the field of education at the primary or secondary school level; and not more than four other persons who shall be nominated by the Minister.

The appointment of the members of the council shall be for a term of three years and members shall be eligible for reappointment at the expiration of the term. Except in the case of any person who is a trustee of the Institute of Applied Science at the commencement of section 6 of this Act, no person who is 72 years of age will be eligible for appointment as a member of the Science Museum council.

Sub-section (2) of clause 6 provides that subject to the presence of a quorum, the council may act, notwithstanding any vacancy in its membership or any defect or irregularity in the appointment of a member. Clause 7 deals with vacancies and leave of absence. Clause 8, which relates to the appointment of a president of the council, provides that the
Governor in Council shall, after consultation between the Minister and the council, appoint one member as president. The council will elect its own deputy president, and one member as treasurer, both for a period of three years ending on the 30th day of June. A person holding office shall be eligible for re-election. The president shall preside over meetings of the council, and in his absence the deputy president shall preside.

There is provision in clause 10 for the payment of travelling expenses to members of the council. The initial constitution of the council is provided for in clause 11. Following the appointment of the president, the council's first meeting shall be held at such time and place as he fixes. The council shall be deemed to have been duly constituted from the day of that first meeting. Sub-clause (3) of clause 11 allows the council, from time to time, to appoint two or more of its members as a sub-committee, to delegate any of its functions to a sub-committee, and to impose on it any limitations or restrictions it thinks fit. The appointment of an executive officer, a secretary, and other officers is authorized by clause 12.

Clause 13, which is in Part II, of the Bill, sets out the functions of the council. It states that they shall be to manage, control and develop the Science Museum of Victoria and to further education relative to applied science by an interesting variety of means, including exhibits, reference collections, publications, lectures, broadcasting and television—something which is not usually referred to in an Act of the Victorian Parliament—film screenings, and the provision of an inquiry service. The council will also have the task of acquiring and preserving objects of significance to applied science for use as exhibits or for exchange. It will be responsible for the establishment of or for giving assistance in the promotion of institutions or bodies with aims similar or partly similar to those of the Science Museum of Victoria. Paragraphs (e), (f), (g) and (h) of clause 13 deal with the lending of exhibits, engagement in scientific research, and collaboration with similar organizations.

The council is authorized to sell property by clause 14, which is contained in Part III of the Bill. Sub-clause (4) provides that the council may accept any donation or gift subject to any condition the council thinks reasonable, and in particular authorizes the council to accept a donation, or gift of, or cash for the purpose of, any exhibit on the condition that the exhibit remains in the custody of the donor during his lifetime or for any period agreed upon between the donor and council. That is a desirable restriction to impose. There is a distinction between the exhibits which will be displayed and the permanent property of the council which is covered in sub-clause (1) of clause 14.

The disposal of unclaimed property is dealt with by clause 16, which includes a safeguard to ensure that valuable exhibits shall not be disposed of in a careless or reckless manner—not that it is likely that they would be, having regard to the calibre of the men who will be appointed as trustees. Paragraph (b) of sub-clause (1) of clause 16 provides that such property must have been in the custody of the council for a period of not less than five years. Sub-clause (2) of clause 16 makes it necessary that six months' notice be given of the intention to deal with property in this manner.

Clauses 17, 18, and 19 deal with matters which were covered under the original Act, governing the State Library National Gallery National Museum and Institute of Applied Science. The clauses refer to such matters as reports of the council, auditing of accounts, the account to be kept by the council, and the powers of the Governor in Council to make regulations on the advice of the council. Clause 20 contains transitional provisions providing for the
change under which the Institute of Applied Science will become the Science Museum of Victoria.

The provisions of the Bill follow a practice which has proved satisfactory in relation to the State Library of Victoria, which now works under its own Act. Although there is a certain correlation of interests and activities of the four groups which operated under the old Act, the concept of a body of trustees working under a separate Act for each institution is superior. I commend the Bill to the House.

On the motion of Mr. FORDHAM (Footscray), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, November 10.

NATIONAL MUSEUM OF VICTORIA COUNCIL BILL.

Mr. THOMPSON (Minister of Education).—I move—

That this Bill be now read a second time.

The purpose of this measure, and its form and content, are similar to those of the Science Museum of Victoria Bill. Its object is to constitute a National Museum of Victoria Council and to transfer thereto the powers, functions and duties of the trustees of the National Museum of Victoria.

Clause 6 contains provision for the appointment of a council of nine members chosen from persons holding senior academic office at a university in Victoria in a discipline appropriate to the activities of the museum, experienced in business administration and finance, and distinguished in the educational sphere. Sub-clause (2) of clause 6 provides that members of the council shall hold office for a term of not less than three years and that they shall be eligible for reappointment. Sub-clause (3) puts an embargo on the appointment of anybody over the age of 72 years being appointed to the council. Sub-section (4) entitles the existing trustees of the National Museum of Victoria to be appointed as members of the council.

Clause 7 relates to the filling of vacancies on the council. Clause 8 provides for the appointment of a president by the Governor in Council after the Chief Secretary has consulted the council. The clause states that the appointment of a president, deputy-president or treasurer shall be in the hands of the council itself, and that those office-bearers shall be appointed for a period of not more than three years, their terms to cease on 30th June.

Clause 9 deals with travelling expenses, and clause 10 is concerned with the initial constitution of the council. It provides that the council shall be deemed to have been duly constituted on the day on which it holds its first meeting, and that the president shall decide when and where that first meeting is to be held.

Clause 11 provides that staff shall be appointed to the council under the general provisions of the Public Service Act 1958. A director of the National Museum of Victoria will be appointed, and he shall be the chief executive officer of the council. Provision is also made in that clause for the appointment of a secretary and such other officers and employees as are necessary.

Clause 12 is probably the most interesting part of this Bill. It sets out the functions of the council, and states that the council shall manage and control the National Museum of Victoria and the Natural History Museum. It also outlines the specific functions of this body. The functions of the council are wide, and I am sure that they will be of interest to the average citizen. It is provided that the council is to collect and store collections of zoological, geological, ethnological and anthropological specimens for study, research, display and educational purposes. Among many other functions, there is the publication and sale of scientific memoirs, papers, periodicals, books, catalogues and illustrations appropriate to the activities of the museum. They are provided for in paragraph (f) of clause 12 of this measure. The
provisions of clause 12 ensure that the National Museum of Victoria will not be a giant octopus which controls every aspect of its field but, rather, that it will be a body which will encourage subsidiary organizations to assist in the development of museum activities. Paragraph (j) of the clause provides that the council shall advise the Minister on matters relating to natural history museums and on matters coming within the functions of such museums.

Clause 14 of this measure sets out the power of the council to sell, lease, or dispose of any property vested in it; and there is a distinction drawn between certain property and exhibits which may be in the museum and which are not the property of the council. A provision similar to that in the Science Museum Bill provides that when the council wishes to dispose of unclaimed property it is necessary for that property to have been in its possession for a period of five years and for the council to give six months' notice of its intention to dispose of it. The intention of this provision is to prevent the unwise, hurried disposal of valuable exhibits.

Clauses 17, 18 and 19 are similar to provisions in the original Act governing the State Library, the Institute of Applied Science, the National Museum and the National Gallery.

Clause 20 contains transitional provisions. It provides for the transfer of powers of the old council and the method to be adopted for the establishment of the new council of the National Museum of Victoria.

In this day of rising educational standards, increasing interest is being taken in the activities of establishments such as the National Museum. The provisions of this Bill streamline the old procedures to some degree, and they provide a separate Act for the National Museum which sets out its powers, responsibilities, functions and trustees. This is a field which is of ever-increasing importance, and I believe this proposed legislation will go some way towards enabling the National Museum of Victoria to provide an even more attractive, appealing and widespread service to the people of the State. I commend the Bill to the House.

Mr. FORDHAM (Footscray).—I move—

That the debate be now adjourned.

Mr. THOMPSON. — I suggest that the debate be adjourned for fourteen days.

Mr. FORDHAM. — The annual report of this organization has not been submitted to Parliament for four years. Will the Minister undertake to have those reports submitted to the House before this debate is resumed?

Mr. THOMPSON (Minister of Education).—This is a matter which falls within the jurisdiction of the Chief Secretary. I am sure that the honorable gentleman will make officers of his department or of the National Museum available to confer with the honorable member on matters which pertain to this proposed legislation.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until Tuesday, November 10.

FERTILIZERS AND STOCK FOODS (LABELLING) BILL.

Mr. BORTHWICK (Minister of Lands).—I move—

That this Bill be now read a second time.

The purpose of this short Bill is to delete references to weights in the Fertilizers Act 1958 and the Stock Foods Act 1958, to avoid conflict with the provisions of the Weights and Measures Act 1958 and the regulations thereunder.

The Superintendent of Weights and Measures has brought to notice that references to weights in both these agricultural Acts tend to create some difficulties in the administration of the Weights and Measures Act 1958. As a considerable proportion of all sales of fertilizers and stock
foods are now made in bulk, and the weight labelling provisions under the Fertilizers Act 1958 and the Stock Foods Act 1958 do not provide for this type of delivery, it has been decided that references to weights should be deleted from these Acts. The Department of Agriculture has neither the staff nor the facilities for checking bulk or other parcel weights, whereas the Weights and Measures Office has been established for this purpose.

The amendments proposed by the Bill are contained in clauses 2 and 3. Clause 2 repeals paragraph (d) of sub-section (1) of section 7 of the Fertilizers Act 1958, which provides that the label required to be attached to each parcel of fertilizer shall have shown thereon the number of net pounds of fertilizer in the parcel.

Clause 3 repeals a similar provision in paragraph (c) of sub-section (2) of section 7 of the Stock Foods Act 1958, with regard to the labelling of parcels of stock foods.

The repeal of these two provisions in the Fertilizers Act and the Stock Foods Act will not weaken in any way the control currently being exercised over the sales of fertilizers and stock foods. Sales of both parcels and bulk loads of the commodities will be subject to the provisions of the Weights and Measures Act, particularly section 77, and the regulations under that Act. I am assured that these provide adequate control to safeguard the interests of the community, and particularly of primary producers. I commend the Bill to the House.

On the motion of Mr. KIRKWOOD (Preston), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, November 10.

WATER (AMENDMENT) BILL.

Mr. I. W. SMITH (Minister of Water Supply).—I move—

That this Bill be now read a second time. Its purpose is to make a number of amendments to the Water Act, the most important of which is for the amalgamation of the various small urban and waterworks districts supplied by the Coliban system of waterworks into one single district. Other clauses of the Bill provide for an extension of Schedule Three B of the Water Act to July, 1971, to enable the continued allocation of extra water rights on the present basis; an amendment to enable the Water Commission to license the use as well as occupation of lands under its control; and an amendment similar to that introduced in the Sewerage Districts Bill to enable recent amendments to the Local Government Act dealing with exemptions from rating to apply to water authorities.

Clause 2 of the Bill amends section 65AB of the principal Act by extending the date to which this section applies by one year to 1st July, 1971. At present section 65AB provides that the apportionment of extra water rights made before 1st July, 1970, shall be in accordance with the formula set out in Schedule Three B of the Act. Extra water rights apportioned on this basis are deemed to be sufficient for the irrigation of land under intense culture.

The extension of this provision for a further twelve months is sought pending the outcome of extensive investigations into possible future water right allocations. These investigations comprise detailed studies of storage behaviour and stream flows and include the effect of the proposed Dartmouth storage, all with relation to possible future water use for irrigation in northern Victoria. On present indications, it is expected that these investigations will be completed in sufficient time to enable a revision of the present formula to be prepared and submitted to Parliament for consideration in the autumn sessional period. In the meantime, the amendment under consideration will enable the commission to continue to grant extra water right entitlements under the present formula when applications from landholders are received during the current irrigation season.
Clause 3 abolishes the waterworks and urban districts specified and amalgamates them within the district supplied from the Coliban system of waterworks. The district supplied with water from the Coliban system of waterworks comprises generally the City of Bendigo and the surrounding country and this very large urban and rural complex forms by far the major consumer of water supplied from the system. The area has no actual boundaries but comprises a series of channel and pipe reticulation systems. However, over a long period of time, a number of smaller waterworks and urban districts have been constituted and supplied from this system, and it is these districts which it is now proposed to abolish. While the properties within each of these districts receive relatively the same services in respect of pipe reticulation or channel supplies, the financial requirements of each separate district vary appreciably with the result that wide inequalities in rating exist.

The proposed amendment will abolish these small districts and include them as part of an amalgamated undertaking supplied by the Coliban system of waterworks. The result will be that all users receiving supplies from the system, whether for urban, industrial, domestic, stock or irrigation, will be placed on the same footing for the particular type of supply. The financial effect on the large amalgamated district will be negligible, but it will result in significant reductions in the charges met by ratepayers in the small districts which are to be abolished. It will simplify administration and remove anomalies causing much dissatisfaction.

Clause 4 will enable the Water Commission to grant licences not only for the occupation of its lands as at present, but also for the use of lands. The Crown Solicitor has advised that the commission's present powers under section 324 do not extend to the granting of licences for access purposes, and the proposed amendment will correct this situation. There have been a number of instances recently where the commission has been faced with a need to grant access licences over its lands to provide alternative access to properties following land resumption for reservoirs. The amendment will enable such licences to be granted in these cases where it is unnecessary or impracticable to grant full occupation rights to the licensee.

Clause 5 proposes an amendment to section 360 of the Act which is consequent upon the recent amendment to the Local Government Act dealing with exemptions from rating. The proposed amendment will ensure that land which is not rateable by a municipality in accordance with the amended provisions of the Local Government Act also will be not rateable under the Water Act. Authorities under the Water Act can thus be guided by municipalities as to which lands will not be rateable. The resulting uniformity will be in the interests of all authorities involved in rating procedures as they will all be guided by the provisions of the Local Government Act and variations in rating policies should not arise. I commend the Bill to the House.

On the motion of Mr. SHILTON (Midlands), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, November 10.

COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL.

Sir ARTHUR RYLAH (Chief Secretary).—I move—

That this Bill be now read a second time. It is a brief Bill to increase the borrowing powers of the Country Fire Authority from $4 million to $6 million. All honorable members are aware that the control of the prevention and suppression of fires in the country area of Victoria is vested in the authority. To this end, the authority is empowered by the Act to take measures to supply engines, reels, hoses, pumps, and so on, and to
acquire property and to establish and maintain telegraphic, radio or other communication between the several stations.

Section 82 of the Country Fire Authority Act empowers the authority with the consent of the Governor in Council to borrow moneys to enable it to carry out the duties and functions imposed on it by the Act. Sub-section (2) of this section limits the principal liability of the authority to $4 million.

It is apparent from the existing proposed loan programme, portion of which has been approved by the Treasurer, and the authority's requirements for expansion of communication equipment and building facilities over the next few years, that this amount will be inadequate. The loan liability at 30th June, 1970, was $3,521,225. The proposed loan programme for 1970-71 is $600,000, but the present limit of $4 million will permit only $478,775 of this amount to be borrowed and it will permit nothing to be borrowed in 1971-72.

To pursue its expansion programme it is necessary that the authority should be empowered to increase its liability in respect of debentures issued for money borrowed under the Act. Accordingly, clause 2 increases the borrowing powers of the authority from $4 million to $6 million. I may add that a similar course was necessary in 1955, when the limit of the authority's borrowing powers was increased from $1 million to $2 million, and again in 1966 when the limit was raised from $2 million to $4 million. A loan is becoming available to the authority which must be taken up by 1st November, so I commend the Bill to the House and stress its urgency.

On the motion of Mr. CLAREY (Melbourne), the debate was adjourned.

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

Sir Arthur Rylah.
On the motion of Mr. CLAREY (Melbourne), the debate was adjourned.

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

LABOUR AND INDUSTRY (AMENDMENT) BILL.

Mr. REID (Attorney-General).—I move—

That this Bill be now read a second time.

Like most Bills to amend the Labour and Industry Act, this measure is essentially a Committee Bill, containing as it does a variety of provisions about quite different matters, which have been brought to notice in one way or another. I will deal with these in the order in which they appear in the Bill.

Firstly, there is an amendment of the definition of a factory for the purposes of the Act. This is a lengthy definition, and any simplification would, on the face of it, seem desirable. The principal provision is that any place where two or more persons work at a manufacturing process, as defined, is a factory; however, in some cases the place may be a factory if only one person works there. One of such kinds of place is where “any goods made of bamboo or wicker or any prescribed substitute therefor or any furniture is prepared or manufactured”.

This provision had its origin when there were a large number of small furniture factories occupied by Chinese in Little Bourke Street, in which conditions left much to be desired. The word “furniture” is defined by the Act to mean wooden furniture only. The application of the provision can have repercussions in 1970 which could hardly have been anticipated originally, as the honorable member for Hawthorn brought to notice during the last Parliament. In his electorate there is a man who makes for sale hand-made wooden furniture, using a domestic workshop for the purpose. Even though he works alone, the fact that it is wooden furniture that he manufactures makes the place a factory within the meaning of the Act. But town planning requirements do not permit the occupation of a factory in that area, and so the occupier finds himself in a dilemma. If he were making metal furniture, or plastic furniture, he would be all right. If he were making anything else but furniture, he would be all right. There seems to be no point in perpetuating this state of affairs, and so it is proposed to repeal the reference to furniture. That repeal is effected by clause 2 of the Bill.

The next provision concerns the appointment of inspectors of factories and shops, who have duties concerning the enforcement of the provisions of this Act and other Acts administered in the department. Persons appointed full-time as inspectors are required to be appointed as such under the Public Service Act; however, the Minister may authorize members of the Police Force to carry out the functions of an inspector and this provision is utilized to a limited degree with respect to areas in which no inspector is located.

It is proposed to provide that the Minister may also authorize other officers of the Public Service to carry out the functions of an inspector, because it would be useful in certain situations to have other officers with powers to enter premises, examine persons, and so on. For example, under the Consumer Protection Act 1970 the enforcement of Part V. of the Goods Act 1958, the Footwear Regulation Act 1958, the Bread Industry Act 1959 and Division 7 of Part VII. of the Labour and Industry Act 1958 is entrusted to the Consumer Protection Bureau. But powers of entering premises, examining persons, and so on, under those Acts are conferred only on inspectors of factories and shops. The officers of the Consumer Protection Bureau who are being appointed to investigate complaints will not be appointed under the Public Service Act as inspectors of factories and shops and therefore will lack those powers unless some
means is provided of conferring those powers on them. That is the purpose of the amendment contained in clause 3.

Next follow a number of provisions relating to wages boards, and determinations made by wages boards and the Industrial Appeals Court. Some time ago a number of proposals were made by the main employer associations, acting in concert, in this connection—being proposals which, in their view, would improve the working of the system. These were referred by the predecessor in office of the present Minister of Labour and Industry to the Victorian Trades Hall Council and, in course of time, agreement was reached on some of them. These are the ones that are included in this Bill. I want to make this quite clear: These proposals were made by the employer associations and agreed to by the trade unions.

The first of these deals with the constitution of wages boards. Subsection (2) of section 20 provides that the Governor in Council may, inter alia, appoint a board for any trade, or branch of a trade, or a group of trades, and may vary the powers of any board and may abolish it. The proposal contained in the Bill is that the Minister may refer any matter arising under sub-section (2) to the Industrial Appeals Court. The court may then hear interested persons and shall make a recommendation to the Minister. This is to give effect to the wishes of the industrial organizations concerned that questions arising in connection with these matters be argued in open court.

I point out that differences of opinion in this area occur not only between employer associations on the one hand and trade unions on the other but also between one employer association and another, and one trade union and another. The increasing number of industrial organizations, both of employers and of employees, makes this matter more difficult. The necessary amendments are contained in clause 4.

Similarly, with respect to the appointment of members of wages boards, there is sometimes competition between one organization and another to secure the appointment of its nominee to the board, before any other. If the industrial organizations concerned wish to be able to argue their cases before the Industrial Appeals Court, I am quite happy to concur and to take into consideration any recommendation of the court that may be forthcoming. I can assure honorable members that many of the issues which the Minister now has to decide are most difficult to decide and the assistance of the court would be most welcome. This amendment is contained in clause 5.

The third of these matters on which the organizations of employers and employees have agreed, and which are included in this Bill, is that the Industrial Appeals Court should be given power to interpret determinations of wages boards and its own determinations. The argument advanced by the employers is that sometimes there is a bona fide difference of opinion between employer and employee, or employer association and trade union, or one of them and the Department of Labour and Industry, about the meaning of a particular provision of a determination. At present, if an issue is brought to the department's notice as a complaint alleging a breach of the law, the department proceeds against the employer in a court of law for a breach of the Act. It has been put that this is cumbersome, and that it imposes a stigma on the employer of being prosecuted in a quasi-criminal jurisdiction, when all that he is guilty of, if anything, is an honest difference of opinion.

Therefore, it is provided in clause 7 that the Industrial Appeals Court may, in its discretion, decide such an issue, whether on the application of the Minister or any other interested
person. A further provision concerning wages board determinations relates to section 39 of the Act, subsection (2) of which provides—

Every determination shall unless so quashed have the like force validity and effect as if enacted in this Act, and shall not be in any manner liable to be challenged or disputed, but may be altered or revoked by a subsequent determination.

That provision has been in the Act, and in corresponding previous enactments, for a long time. However, in a recent report, the Subordinate Legislation Committee strongly criticized the use of provisions of this nature in respect of subordinate legislation, and the opportunity is taken here to repeal sub-section (2).

There are also practical reasons for repealing sub-section (2) and replacing it with the new sub-section contained in clause 6 of the Bill. Where a wages board makes a determination which contains a provision or provisions which are inconsistent with the Act or regulations, there is difficulty in knowing just what the law is. This is undesirable. The new provision should avoid this difficulty.

Several provisions in the Bill relate to shop trading hours. The proviso to sub-section (1) of section 80 of the Act permits shops for the sale of motor cars, trailers or boats to remain open until 6 p.m. on Saturdays and 10 p.m. on Fridays. The Caravan Trade and Industries Association of Victoria has submitted that it should be lawful to sell spare parts and accessories for caravans—called “trailers” in the Act—during the hours when it is lawful to sell the caravans. The example quoted is that, while it is lawful to sell a caravan on a Friday night or Saturday afternoon, it is not lawful to sell a tow bar with which to tow the caravan away. It is proposed by clause 8 to make this lawful. It is logical to make the same provision about boats.

Clause 10 relates to the sale of briquettes. A demand now exists for small packs of briquettes, particularly by the occupiers of flats, pensioners and the like, who do not wish to, or are not able to, store a large quantity, but may wish to buy a small quantity at any time of the day or night. Therefore, as a matter of convenience, it is proposed to permit briquettes to be sold at what the Act calls petrol shops, or what are commonly called service stations, whenever they are permitted by law to be open.

Two provisions in the Bill concern long service leave. One of these refers to what are called by the Companies Act related corporations, and provides that service with related corporations shall be deemed to be service with the same employer for the purpose of ascertaining entitlement to long service leave pay. The appropriate reference to the Companies Act is to sub-section (5) of section 6 which provides—

Where a corporation—
   (a) is the holding company of another corporation;
   (b) is a subsidiary of another corporation; or
   (c) is a subsidiary of the holding company of another corporation—

the first-mentioned corporation and that other corporation shall be deemed to be related to each other.

Many more related companies exist now than previously and the Government believes that in the interests of justice the proposed new sub-section should be enacted.

The other provision relating to long service leave deals with a question of proof where the department proceeds against an employer for allegedly failing to pay long service leave pay to the personal representative of a deceased worker. At present, the prosecutor is required to discharge a criminal onus of proof. This is difficult in relation to the question of continuous employment unless the defendant makes an admission, because the prime witness is deceased. Clause 13 inserts new paragraph (ga) of sub-section (1) of section 192, and provides that, with respect only to establishing continuity of employment for the purpose of ascertaining entitlement to
As honorable members are aware, particularly those representing country electorates, the Government has been considering tractor safety for some years. Tractor accidents are on the increase, and will continue to increase as more and more tractors come into use. Far too many fatalities occur, many of which are caused by tractors overturning. Several avenues of approach to the solution of this problem can be made. One is to revise engineering design, with greater reference to safe operation; but the manufacturers say that if they are to sell their product they must provide what the customers ask for. Another approach is education, and the Department of Labour and Industry has spent a good deal of time on this subject in conjunction with such organizations as the Victorian Young Farmers, agricultural societies and the Department of Agriculture. But the difficulties of driver education are well known.

The other main avenue is legislation. Several Bills have been prepared over the past few years, incorporating rules of various kinds—for example, fixing a minimum driving age, prohibiting riding on attachments, requiring drivers to be licensed and requiring guards to be fitted. These have not found general favour and were not proceeded with. The former Minister of Labour and Industry, Mr. John Rossiter, studied this matter in depth and formed the conclusion that it was most important to ensure that new tractors coming on to the market were fitted with appropriate guards—particularly a safety frame or cabin to protect the driver in case of an overturn, and a sleeve guard to cover the power take-off.

More than once during the past year or so the former Minister issued a public warning to tractor owners that, unless they took steps voluntarily to have appropriate guards fitted, the Government might feel compelled to legislate to require them to be fitted. Earlier this year, the honorable gentleman again took stock of the position, and ascertained that voluntary action had been negligible. Therefore, the Government decided that legislation would be necessary, and, at the time of the general election, announced that it would introduce appropriate legislation if returned to office.

Section 175 of the Labour and Industry Act requires power-driven saws and chaff-cutting machines to be fitted with prescribed guards. It is an offence to sell a new machine of either kind which is not fitted with such guards. It is proposed to add wheeled tractors to this group of machines, and that after 1st July, 1972, it will be an offence to sell a wheeled tractor that is not fitted with prescribed guards.

The Bill includes one further provision relating to legal proceedings. Under section 196, where the occupier of premises who is charged with an offence claims that some other person is the actual offender, he is entitled to have that other person summoned to appear before the court at the time of the hearing. If the court is then satisfied that the other person is the actual offender, it shall convict that other person instead of the occupier. In a recent case, it was pointed out by counsel appearing for an occupier that his client could not avail himself of this entitlement because time had run out under paragraph (a) of sub-section (1) of section 192. It will be seen that this may often nullify the defendant's rights under section 196. It is therefore proposed to remedy this situation by clause 14.

Turning now to the individual clauses, I point out that clause 1 provides that the several provisions of the Act other than section 13—
which a special date of commencement is provided—are to come into operation on a day or days to be fixed by proclamation of the Governor in Council. Clause 2 defines a factory for the purposes of the Act and abolishes the special reference to the manufacture of furniture. Clause 3 enables officers of the Public Service to be appointed inspectors of factories and shops under the Act, in addition to persons appointed as such pursuant to the Public Service Act.

The Minister is authorized, by clause 4, to refer to the Industrial Appeals Court for its advice on questions concerning the constitution and powers of wages boards, while clause 5 authorizes a similar procedure with respect to the appointment of members of boards. Clause 6 provides that a provision of the Act or regulations shall take precedence over an inconsistent provision of a determination, whereas clause 7 introduces machinery whereby the Industrial Appeals Court may interpret any provision of a determination. Spare parts and accessories for trailers or boats are permitted, by clause 8, to be sold whenever shops for the sale of trailers or boats may be open, while clause 9 updates the reference to the Tourist Development Authority in those sections of the Act dealing with special shop trading hours for holiday resorts and tourist resorts. Clause 10 permits the sale of briquettes at petrol shops whenever that class of shop is not required to be closed.

Clause 11 establishes entitlements to long service leave pay in cases of employment by related companies. Clause 12 requires new wheeled tractors to be fitted with prescribed guards by 1st July, 1972. The onus of proof is reversed by clause 13, in relation to continuity of employment of a deceased worker for the purpose of establishing long service leave pay entitlements, while clause 14 contains the procedural change with respect to a defendant who brings some other person as the actual offender before the court. Clause 15 repeals a reference to by-laws in section 205, because there is no longer any provision for making by-laws under the Act, and clause 16 is a formal provision which simply takes note of recent legislation. I commend the Bill to the House.

On the motion of Mr. SIMMONDS (Reservoir), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, November 10.

MARKETABLE SECURITIES
(AMENDMENT) BILL.

Mr. REID (Attorney-General).—I move—

That this Bill be now read a second time. Honorable members will recall that in the last session the marketable securities legislation was re-enacted in a form that had been agreed with my colleagues on the Standing Committee of Attorneys-General. As I then mentioned, the legislation must necessarily be uniform throughout the Commonwealth if it is to be effective. Since the passing of the legislation the Australian Associated Stock Exchanges have made a submission which relates to the legislation and which contains proposals that arise from situations that developed with increasing frequency during the recent expansion of market activity.

The legislation at present enables the signature of a transferee to be dispensed with in the majority of cases and for the transferor's broker to split a transfer into as many marketable parcels as are necessary for their purposes. The split transfers can be traded even though the transfers effected by them have not been registered, but that trading is restricted to the period of two months from the date on which the stock exchange marks the transfers.

Honorable members will be aware that two months prescribed as the period during which the scrip certificate must be produced to the stock exchange and forwarded to the company whose securities are being
Marketable Securities

Marketable Securities

traded. A marketable parcel varies according to the market price of shares; a variation in the market price may have the effect that original transfers are no longer capable of being further dealt with before they are registered by the company.

The Australian Associated Stock Exchanges put forward the suggestion that the exchanges themselves should be authorized to split the original transfers to enable them to be tendered as good delivery during the period of two months to which I have referred. The submission of the stock exchanges was considered carefully at the meeting of the Standing Committee of Attorneys-General in Sydney in July, and although the proposal does at first appear complex my colleagues and I came to the conclusion that in fact a simple amendment could be made to the legislation and if made would considerably facilitate the business of the stock exchanges and assist the investing public in the settlement of their sales and purchases.

The essence of the amendments that are necessary to the legislation which was enacted in the last Parliament is an addition to the type of approved transfer and an addition to the warranty provisions to the effect that a stock exchange that splits a transfer will give a warranty to the same effect as a broker does under the present legislation. The Standing Committee came to the conclusion that both companies and the public will be as adequately protected by warranties given by stock exchanges as they are by warranties by brokers, and that the proposed amendments would not affect the security of the revenue of the Stamps Office.

A further small amendment is being made to the legislation so that where a form in the schedule requires the full name of a transferor to be shown it shall be satisfactory if the name shown is the same as the name entered on the scrip certificate issued by the company. This amendment is contained in clause 2. It not infrequently happens that a purchaser of shares in a company omits to give his full name and it is therefore often impossible for a company literally to comply with the requirement of the form as it is at present drawn.

Clause 3 expands the provisions of section 5 of the Act passed in the last Parliament, to include the use of the new form, namely, Form 3 as contained in clause 7 of the Bill. The clause also contains some formal amendments consequent upon re-numbering the forms in the Act. It is convenient to do this because some Governments have not yet introduced the re-enactment of the marketable securities legislation and will therefore number their forms consecutively. Honorable members will appreciate that if all Governments had passed the main legislation, the new form would have been numbered Form 2A.

Clause 4 contains a revision of section 8 of the Act and covers the provisions to which I have referred relating to the warranties given by brokers and stock exchanges. Clause 5 is a consequential amendment to section 9 of the Act to cover the recognition by the company of the stock exchange stamp. Clause 6 imposes penalties on stock exchanges for breaches of the provisions of the Act relating to the special matters in respect of which they are given rights. The clause also contains certain consequential amendments. Clause 7 contains the new Form 3 to which I have referred and which relates to the split transfer. The clause also contains amendments to effect renumbering of the forms in the Schedule to the Act and a new Form 7 which is a renunciation and split transfer form which follows Form 6 in the same way as Form 3 follows Form 2. I commend the Bill to the House.

On the motion of Mr. WILTON (Broadmeadows), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, November 10.
PHILLIP ISLAND CONSERVATION BILL.

The Order of the Day for the second reading of this Bill was read.

The SPEAKER (the Hon. Vernon Christie).—The Bill circulated has one word different in its short title from that shown as Order of the Day No. 11 on today's Notice Paper. The title of the Bill now circulated reads "Phillip Island Conservation Bill".

Mr. BALFOUR (Minister for Fuel and Power).—I assure you, Sir, that this is the Bill which the House gave me leave to introduce, and which is listed on the Notice Paper as the "Phillip Island Development Bill". Furthermore the full title of the Bill is precisely the same.

The SPEAKER.—I will instruct that the title which appears on the Notice Paper shall be altered and that in future the title of the Bill as now presented shall be listed.

Mr. BALFOUR (Minister for Fuel and Power).—I move—

That this Bill be now read a second time. Its title—a Bill to establish a Phillip Island Advisory Committee and to provide for the conservation and development of Phillip Island and for other purposes—outlines the intention of the Government in introducing it. The measure indicates the Government's awareness of the need to preserve fauna and flora and areas of natural beauty.

The conservation of the environment in which we live is a vital part of our development as a nation and is closely linked with the welfare of the community, especially in respect of recreation, culture and health. The Government is conscious of the importance of Phillip Island as a tourist area containing unique scenic attractions and fauna and flora. These are of world-wide interest, not only to tourists, but also to other visitors concerned in the scientific aspects of Phillip Island's wildlife and geology.

Phillip Island is a nesting area for many thousands of shearwaters—commonly know as mutton birds—which return from the Arctic to breed in burrows in the Phillip Island sand dunes. Although the migration of the shearwaters has not been widely publicized, it is considered that the return of great flights of the birds could become an important tourist attraction.

The "Parade of the Fairy Penguins"—the smallest species of penguin known, and also a migratory bird—has achieved world-wide fame. Large numbers of tourists, including international visitors, make the journey to Summerland beach on Phillip Island to see this remarkable parade, which takes place at sunset. The Fisheries and Wildlife Branch, in co-operation with industry, is safeguarding the fairy penguins from any harm from industrial development. Koalas thrive on the island and are carefully protected in special reserves. There are also many species of sea and shore birds that delight the hundreds of thousands of picnickers and holidaymakers who visit the island.

Phillip Island has the advantage that it is separated from the mainland. This separation has ensured the preservation of many of the island's wildlife and native flower species. It has also assisted in preserving natural surroundings in which fauna and flora may multiply. This is in distinction from the mainland where the increasing tempo of modern development, and the resulting interference with the habitats of various species, has reacted adversely on flora and fauna.

I should like to make reference to some of the native animals, and birds and the flora which are to be found on Phillip Island and with which this Bill is closely associated. On Seal Rocks off the south-west corner of Phillip Island there is a very large colony of eared seals. These are being studied by the Fisheries and Wildlife Branch in order to establish a pattern.
which will assist in preserving the seals and to ascertain other scientific facts regarding their life habits.

Many species of flora, some of which have great botanical interest, are to be found on Phillip Island. These include the manna gum, which provides food for the koalas; the blue gum and swamp gum; wattle and, of particular scientific interest, the specialized plant life which is indigenous to the salt marshes. There are also great thickets of mangrove, tea-tree, cushion bush and other varieties of plant and shrubs.

I mentioned earlier the geology of Phillip Island which has scientific interest. Cape Woolamai, a prominent feature visible from the road between Kilcunda and Wonthaggi, is an example of the granite formations laid down by volcanic activity. The industry of the island falls into two broad groups—rural and tourist. One of the attractive features of Phillip Island is the peaceful combination of farms, complemented by the nearly land-locked waters of Westernport Bay.

Unfortunately, a rash of uncontrolled development resulted in haphazard subdivision, which threatened to destroy much of the landscape beauty of this island. When this development became obvious and threatened the local environment, the Town and Country Planning Board issued an interim development order which has contained the position until further detailed planning can take place.

The tourist industry is vital to Phillip Island’s economy, and millions of dollars have been invested in providing facilities for visitors. Continued unplanned development and lack of controlled management of land use and natural features would have a detrimental effect on this important segment of the local economy. The opening of Melbourne Airport at Tullamarine is already having an impact upon the influx of international tourists. The contribution that the airport will make to Victoria’s future tourist industry will accelerate as more international airlines fly into Melbourne and airline frequencies increase.

Phillip Island will be one of the first tourist resorts to benefit from the increased flow of international visitors who will seek the opportunity of enjoying the unique natural attractions of the island which have received world-wide publicity. The conservation of the fauna, flora and scenery, and the careful development of the island, are important to the tourist economy of Phillip Island and of Victoria.

Referring to management and finance, the Town and Country Planning Board, in a report on Phillip Island, recommended the creation of a single authority with widespread responsibilities relating to conservation and preservation of the general environment. In its report, the board pointed out the necessity for the provision of funds to establish the kind of management for Phillip Island considered necessary to develop its great tourist potential.

The Bill before the House provides for the establishment of an advisory committee, consisting of eleven members, as outlined in clause 3. I stress that the members of the advisory committee will be selected for their specialized knowledge of the many matters with which the committee will be called upon to deal.

The Shire of Phillip Island will be represented by three councillors nominated by the council who will have the wide local knowledge which will be vital to the deliberations of the committee. Knowledge and experience of conservation of wildlife, native plants, or areas of natural beauty will be supplied by three members who will be selected because they have specialist qualifications. Because of the importance of conservation, the appointment of these three members will be carefully considered, and the Bill provides that the Governor in Council shall consider any recommendations received from the shire council.

Mr. Balfour.
The Fisheries and Wildlife Branch of the Chief Secretary's Department will be represented by an officer nominated by the Chief Secretary. It is unnecessary to emphasize that the department has always been intimately linked with the preservation and study of Phillip Island's flora and fauna. An officer of the Department of Crown Lands and Survey will be nominated by the Minister of Lands. The committee will be strengthened by having as a member a Government officer who is familiar with matters connected with Crown lands and the operations of the Act and regulations relating thereto.

The Ministry of Tourism will be represented by an experienced tourist officer nominated by the Minister for Tourism, and the Mornington Peninsula and Western Port Regional Planning Authority will be represented by a member or officer nominated by the Minister for Local Government. One other representative will be a person with special knowledge of, and experience in, the tourist or travel industry. This appointment will bring to the committee expert knowledge of the operations of the travel industry and the promotion and selling of travel. In making this appointment, the Governor in Council shall consider any recommendations received from the shire council.

The members of the committee shall hold office for three years, subject to their remaining qualified to hold office, and shall be eligible for reappointment. The committee will appoint one of its members to be chairman. Other provisions in the Bill provide that the committee shall meet on not less than six occasions in any one year. This ensures that there will be continuing consideration of the conservation and developmental needs of the island. Subject to the Public Service Act 1958, provision is made for the appointment of a secretary to the committee.

The functions of the committee are set out in clause 4. It will be responsible for advising the Minister in relation to the co-ordination of the development of Phillip Island, the preservation of its beaches and natural beauty, and the maintenance of wildlife reserves. It will also be responsible for the improvement of facilities which would lead to the better enjoyment of the island by the people. It is emphasized that these are broad provisions and it will be expected of the committee that it will come forward with recommendations which, in many cases, may not be specifically stated in the provisions under clause 4. It is desired that the committee will display enterprise in its approach to its task.

One of its first functions will be to prepare a comprehensive scheme relating to the best use in the public interest of Crown land reserved under the Land Act 1958 of any unreserved Crown land and of any land purchased under clause 7. I referred earlier to the appointment of an officer of the Department of Crown Lands and Survey. The importance of this member of the committee will be readily appreciated in relation to the functions of the committee under clause 7.

Under clause 6, the Governor in Council may temporarily or permanently reserve land for any of the purposes specified in paragraph (e) of clause 4. This is a necessary provision to enable the committee to carry out its functions and, where necessary, temporary reservation will permit of consideration of the use of the land when time is required for planning purposes.

The provision under clause 5 that committees of management shall consult with the committee, before making changes in relation to the use, management, facilities or development of the land they administer, is important as these committees do have authority over considerable areas on the island and it is desirable that their plans should be co-ordinated with the plans of the committee.

Clauses 7, 8 and 9 deal with the purchase of land for the purpose specified in paragraph (e) of clause
4, and with the provision of loans or grants for the establishment, construction, development and improvement of tourist facilities or projects on the island, including the purchase of land for such purposes.

In clause 9 there is provision for the Minister to require the council to contribute towards the cost of land purchased or to make a loan or grant to the Minister or the committee. The operations of the committee will result in considerable benefits to the municipality, and it is reasonable that in appropriate circumstances the municipality should be a contributor to the cost of land purchased, or the establishment, construction, development or improvement of tourist facilities or other projects. These things will be a direct contribution to the economic development of Phillip Island.

Clause 10 empowers the committee to collect a tourist levy in respect of persons entering Phillip Island. The tourist levy may be composed only during a period or periods not exceeding 180 days in any one calendar year as decided by the committee. The committee is required to give notice in the Government Gazette, before the beginning of each year, of the days on which the levy is to be collected. Notice of the days on which a levy is to be collected and the amount of the levy will be exhibited at all collection points.

The committee is authorized to prescribe additional days on which the levy may be collected, subject to the consent of the Governor in Council and at least seven days' notice being given in the Government Gazette. Provision is made for the committee to collect donations from persons to be used for the purposes of the Act. The clause provides for the exemption from the tourist levy of such persons as the committee thinks necessary or expedient.

In determining the tourist levy and the persons to whom it will apply, the committee will give careful consideration to ratepayers, holiday home owners, tradespeople and employees on the island, who are required to travel from and to the mainland in connection with their vocations. The case of tourist companies and regular motor service operators will be given consideration as well. The issue of periodical, season and concession tickets will be considered. The committee will receive representations on any other aspects brought to its notice where there may be circumstances which will call for special consideration.

I emphasize that, at this stage, the Government has not determined the amount of tourist levy to be collected, and will require a recommendation from the committee after it has had an opportunity of preparing a plan and reviewing the anticipated financial needs to carry out the purposes of the Bill as described in clause 4. I should make it clear that the levy is intended to provide funds for the conservation and development of Phillip Island and to enable facilities to be created for the better enjoyment of the island by the people. All moneys collected pursuant to clause 10 in respect of persons entering Phillip Island shall be paid into the Tourist Fund.

After the deduction of any expenses incurred by the committee or the Country Roads Board in maintaining a bar or gate and in collecting the levy, which are an advance to and remain a charge on the Tourist Fund referred to in sub-clause (6) of clause 10, the levy received will be applied for the purposes set out in sub-clause (12) of clause 10.

It is necessary for the committee to have access to funds to carry out its functions and it is reasonable that the public, which will enjoy the facilities created by the committee, should make a contribution to their development and upkeep. Unless funds are expended for this purpose, the very attractions which bring people to Phillip Island will be destroyed, and with it the pleasure and recreation derived by visitors who journey to this delightful resort.

Mr. Balfour.
By sub-clause (16) of clause 10 the committee is authorized to enter into arrangements with the council for or with respect to the collection of the levy. Sub-clause (17) of clause 10 provides that failure to pay the levy where such levy is payable may result in a penalty of not more than $100. Other provisions in relation to the collection of the levy are contained in clause 10 and it is unnecessary for me to make a detailed comment on these provisions which are self-explanatory.

Other matters dealt with in the Bill are an annual report, including a financial statement, to be made by the committee, and the protection of the rights, powers, authorities or duties of any Government department or public authority or the provisions of any other Act which are dealt with in clause 12.

In submitting the Bill, I commend it to honorable members. I emphasize that the Government's intention is to conserve the natural attractions and environment of Phillip Island, which is an important tourist area in Victoria. It is also an area containing important examples of our flora and fauna which we must make every effort to preserve. The rapidly growing needs of our population demand the conservation of areas with cultural and recreational assets. The Bill provides for the co-ordination of the activities of departments and instrumentalities, and it is an important step in conservation and environmental control in Victoria.

On the motion of Mr. FLOYD (Williamstown), the debate was adjourned.

Mr. BALFOUR (Minister for Fuel and Power).—I move—That the debate be adjourned until Tuesday, November 10.

Mr. FLOYD (Williamstown).—I am aware that the Government has a large programme but this is a Bill of fundamental importance to the community and the Labor Party must discuss it with the people concerned. I ask for a slightly longer period of adjournment, and I hope the Minister will agree, particularly in the light of the large number of important Bills which remain to be discussed.

Mr. BALFOUR (Minister for Fuel and Power).—If the honorable member accepts an adjournment of two weeks, I would agree to an extension of the period if he were not ready to proceed at the end of that time. However, most of the matters dealt with in the Bill have previously been discussed by the House.

The motion was agreed to, and the debate was adjourned until Tuesday, November 10.

VICTORIAN INLAND MEAT AUTHORITY (AMENDMENT) BILL.

The debate (adjourned from October 7) on the motion of Mr. Borthwick (Minister of Lands) for the second reading of this Bill was resumed.

Mr. E. W. LEWIS (Dundas).—The Labor Party does not oppose this Bill and believes that the appointment of the Chairman of the Rural Finance and Settlement Commission to the Victorian Inland Meat Authority will bring further top-line management to the conduct of the meat industry, which is facing great problems. The production of meat in Victoria is approximately 6,000 tons a year, a small portion of which is handled by the authority. The functions of the abattoirs situated in the provincial cities of Bendigo, Ballarat and Shepparton are essential and important, and they contribute a great deal to the decentralization of industry in this State.

The Labor Party urges the Government to point out to the Federal Government in no uncertain manner the problems facing the meat industry in this State, and indeed throughout Australia. It should also be pointed out to the Federal Government that when it is purchasing from the United States of America equipment such as the F111 aeroplanes it should take into consideration the position of the meat industry in Australia. At any
The Government should be encouraged to upgrade all meat abattoirs in this State to the standard now prevailing at Shepparton, thereby avoiding certain problems associated with the export of meat. Under the administration of the Victorian Inland Meat Authority there has been a double standard. A high standard has been set for Shepparton, but at the other two works the standard has been lower, which has contributed to the loss of export licences. The withdrawal of these licences from abattoirs in Victoria, particularly those at Bendigo and Ballarat, has depressed prices for both beef and mutton. Therefore, the standard of all abattoirs in the State, not only those under the control of the Victorian Inland Meat Authority, should be upgraded.

The Government of the United States of America is in a position to reject meat from our abattoirs, and my party believes that Australia should be in a position to reject the importation of certain materials and equipment from America, such as the F111 planes. The Bendigo meat works was employing approximately 42 men on the chain when it lost its licence to export to America, and today it employs 32 men. The result is not only a loss of employment in that city but also a loss of production for the meat works.

I turn to another matter relevant to this Bill. Frequently the Government boasts of what it is doing to decentralize industry, but in the case of the operations of the Victorian Inland Meat Authority no freight concessions are provided by the Government. In the interests of decentralization generally, rail freight concessions should be extended to the meat industry and the operations of the authority should be enlarged to encompass more killing in rural areas.

The Labor Party believes that Mr. Morton is an ideal person to be appointed to the authority. He has had wide experience in the administration of the Rural Finance and Settlement Commission and there is no better person suited for the position. The Victorian Inland Meat Authority is essential to the conduct of the meat industry in this State and, if its administration were to be spread over the entire State, the killing of meat in additional rural areas would provide the market with a better type of meat. Stock that must be carried over long distances and held in stockyards is not as good as meat that is killed in the vicinity of the area in which it is produced. The activities of the Victorian Inland Meat Authority should be enlarged to assist further in the decentralization of industry in this State. The Opposition supports the Bill.

Mr. TREWIN (Benalla).—This Bill, which appears to be small, has the Country Party's support because of its great significance. At present the meat industry is passing through a difficult period. Prices have fallen in part of the industry and at the same time higher standards have had to be met by certain killing centres to enable them to retain their export licences. As a result, practically all meat works have had to effect renovations and changes in their operations to enable them to retain their export licences. No doubt some meat works have become out of date. I do not know whether that has been a responsibility of the Department of Agriculture, the Department of Health, or the Federal Department of Primary Industry, but the penalty is now being paid for the lack of forethought by some people in past years.

The Victorian Inland Meat Authority has had a chequered career, but it appears to be standing the test of
time. It was established approximately 27 years ago and efforts were made to introduce a high standard of killing and marketing of meat on a weight and grade basis. However, this has not happened, and the time is now opportune for Parliament to do something about the future of the industry. I hope that eventually the Parliamentary Meat Industry Committee may have the responsibility of determining some of the issues which are being faced by the industry today.

The Victorian Inland Meat Authority now has three centres operating—at Ballarat, Bendigo and Shepparton. Whilst the Ballarat and Bendigo works have been operating for many years, those at Shepparton are new and of a fairly modern standard. Honorable members know only too well of the trials and tribulations experienced by the Shire of Shepparton in establishing these works. However, the authority has leased the works and the Government, in its wisdom and in co-operation with the present members of the authority, has seen fit to widen the powers of the authority and proposes the appointment of another member. There is no one better qualified to fill this appointment than the present Chairman of the Rural Finance and Settlement Commission. It will not necessarily be because of his knowledge of the meat industry that he will be able to assist the authority; as Chairman of the Rural Finance and Settlement Commission, he has proved himself to be a man outstanding in business management. He also excelled in administration during the recent drought.

Although this State exports only a small proportion of the lamb killed in Australia, the prices and grading for local consumption are more or less set by the small proportion that is exported. I hope that eventually the activities of the Victorian Inland Meat Authority will be widened further so that it will work in conjunction with the Australian Meat Board.

The SPEAKER (the Hon. Vernon Christie).—Order! Under this amending Bill, it is not in order to discuss the industry.

Mr. TREWIN.—Thank you, Mr. Speaker. I am aware that I am a little wide of the scope of the Bill, but I could not allow the opportunity to pass without referring to the lamb industry, which is in dire straits.

The SPEAKER.—Order! The honorable member should return to the Bill.

Mr. TREWIN.—The provisions of this Bill will allow the Chairman of the Rural Finance and Settlement Commission to have certain powers and authority over the future financing and administration of the Victorian Inland Meat Authority.

Mr. A. T. EVANS (Ballarat North).—I support the remarks of members of the Opposition and of the Country Party in commending the appointment of Mr. Ian Morton to the Victorian Inland Meat Authority. Such an appointment is long overdue. During his term as chairman of the Rural Finance and Settlement Commission, Mr. Morton has proved himself to be a man outstanding in business management. He also excelled in administration during the recent drought.

Farmers realize the need for the retention of the Victorian Inland Meat Authority, but it has not been an outstanding success and has not always operated efficiently. It has suffered losses and an unpublished report indicates that a substantial loss will be reported for last year.

Mr. GINIFER.—It is difficult to determine the financial position of the authority because of the accounting system that is used.

Mr. A. T. EVANS.—I agree. Investigations have revealed that a more suitable and efficient accounting system is needed. The two
new members recently appointed to the authority, will have to undertake a great deal of work to resolve the present difficulties. It is essential that the authority should be continued as a vigorous organization. The Victorian Inland Meat Authority was established in 1942 when the Amalgamated Freezing Works in Ballarat and Bendigo were taken over. The Amalgamated Freezing Works was established because farmers were finding that the operation of abattoirs and the marketing and slaughtering of meat had fallen into the hands of too few people and the farmers were not receiving a fair deal in the marketing of their stock. However, the Amalgamated Freezing Works had a stormy and disappointing career.

The takeover by the Victorian Inland Meat Authority was organized when a Country Party Government was in office, the purpose of the takeover being to enable an independent marketing and killing organization to continue. The present members of the authority have acquitted themselves unsatisfactorily and recently two members have retired. I hope that eventually Mr. Morton will become chairman of the authority and it will become the type of organization that farmers have been seeking for the past 30 or 40 years.

Other honorable members have referred to the difficulties within the meat marketing industry and I realize that this is a competitive industry. Conditions in the industry are extremely difficult now because of the provisions made by the Government of the United States of America regarding the importation of meat into that country. During the term of office of President Kennedy, an attempt was made to reduce tariffs throughout the world, but this ideal died with the assassination of President Kennedy.

Mr. A. T. EVANS.—I am emphasizing the difficulties the authority has faced in marketing meat and I am stressing that a man of the calibre of Mr. Morton is needed on the authority. The Government of the United States of America has placed stringent hygiene restrictions on Australian abattoirs.

The SPEAKER.—Order! The honorable member should return to the Bill.

Mr. A. T. EVANS.—I am dealing with the appointment of Mr. Morton to the authority. The honorable member for Benalla has pointed out that the abattoirs operated by the authority are no longer licensed to produce meat for the American market. This is purely a political move and it is time the Federal Government showed some strength, as did the New Zealand Government over a proposed American restriction on import of lamb. Sir Keith Holyoake, the Prime Minister of New Zealand, told the American Government that if it did not amend its legislation New Zealand would withdraw from the ANZUS pact.

I commend the appointment of Mr. Watson to the authority at Bendigo and also the appointment of Mr. Wilson. These gentlemen have had experience in rural activities and in the marketing of livestock. I suggest that the appointment of Mr. Watson in Bendigo should be adopted as a precedent and a resident member of the authority should be appointed at Ballarat. The authority has carried out its activities with reasonable success in Bendigo under adverse conditions and the appointment of a resident member at Ballarat would assist the authority to improve its efficiency in that city. The abattoirs at Shepparton have encountered financial difficulties and the Government has had to come to their aid. I commend the Bill to the House, but I urge the Government to adopt my suggestion that a resident member of the authority should be appointed in the Ballarat district.
The motion was agreed to.
The Bill was read a second time, and passed through its remaining stages.

**PUBLIC SERVICE (AMENDMENT) BILL.**

The debate (adjourned from October 20) on the motion of Mr. Rafferty (Minister of Labour and Industry) for the second reading of this Bill was resumed.

Mr. FELL (Greensborough).—This Bill contains procedural amendments and it will not be opposed by the Labor Party. However, there are a few points to which I shall refer. A most startling anomaly which I discovered in my research is that the measure became necessary because of an accidental amendment to the Labour and Industry Act.

The Bill seeks to do two things: The first is to standardize the fourth Thursday in September as the Royal Melbourne Show Day. Paragraph (g) of sub-section (1) of section 67 of the Act is to be amended for this purpose. The present provision states that Show Day shall be the last Thursday in September, and that could be either the fourth Thursday or the fifth Thursday in September. The Bill also amends the Fourth Schedule.

The second startling feature which I discovered is that no attempt appears to have been made to overcome difficulties which occur when new municipal councils are formed or part of one municipality is annexed to another. I quote as an example the fact that some years ago the Shire of Knox was severed from the Shire of Fern Tree Gully and the Shire of Knox subsequently became the City of Knox. One would have thought that the City of Knox would be referred to in the legislation.

Mr. WHITING.—It is in the Fourth Schedule.

Mr. FELL.—I can see no evidence of its inclusion in the schedule and I have obtained all the latest documents from the Papers Room. Perhaps the Minister will clarify this during the Committee stage. The Fourth Schedule contains a list of municipalities in which the Show Day holiday is to apply. In view of the fact that municipalities are in a state of flux and the names of municipalities are changed from time to time, I should have thought that when this legislation was drafted the obvious thing to do would have been to provide that the Show Day holiday was to apply in the metropolitan area as defined by the Town and Country Planning Act. This would have overcome the difficulties which arise when municipalities change their names or when one part of a municipality is annexed by another. For example, a riding in the Shire of Eltham now forms part of the Shire of Yea and I am sure that this area will be forgotten in the schedule. If my suggestion were adopted, it would not be necessary to amend the schedule every time a new municipality was formed.

When I was examining the Bill many questions relating to the method that will be used for changing the proclaimed day crossed my mind. If the Royal Agricultural Society wishes to change the date of Show Day it must obtain the consent of the Governor in Council. I do not think any great problem will arise in that regard or in the amendment proposed in the Bill. I hope the Government will answer the questions I have raised and give an intelligent reason why they were not adopted in the Bill.

Mr. WHITING (Mildura).—The Country Party, which supports this small Bill, commends the Government on deciding to amend section 67 of the principal Act referring to the Show Day holiday being on the last Thursday in September. The recognized people’s day at the Royal Agricultural Society Show is the fourth Thursday in September. The Bill will proclaim the fourth Thursday as the public holiday.

I agree with the honorable member for Greensborough that the inclusion of two additional names of shires in
the Fourth Schedule of the Public Service Act is a cumbersome way of extending the ambit of the legislation to include new sections of the metropolitan area. In December, 1969, a similar amendment was made to this schedule. Obviously, other areas will be included in the metropolitan area in the future and this procedure will be necessary again. Unfortunately, the metropolitan area is spreading out rapidly and costing a great deal to build up to standard. The Country Party, which is against this type of expansion, would prefer that a large proportion of the population should be encouraged to move farther out into the country rather than to Croydon, Diamond Valley, and similar places. The Government should examine the proposal put forward by the honorable member for Greensborough.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6349 s. 67).

Mr. RAFFERTY (Minister of Labour and Industry).—I should like to thank Opposition members and Country Party members for their support of this Bill. In relation to the City of Knox, to which the honorable member for Greensborough referred, the Deputy Leader of the Country Party was quite correct in his assertion that this is already covered by the schedule. In fact, the City of Knox is specifically mentioned in the 1969 Public Service Act. In relation to the other matter concerning variations that are made from time to time, the honorable member made certain suggestions, which were supported by the Deputy Leader of the Country Party. I shall direct the attention of the Chief Secretary to these suggestions.

The clause was agreed to.

Clause 3 (Amendment of No. 6349).

Mr. FELL (Greensborough).—I should like to thank the Minister of Labour and Industry for the information he has just divulged to me and for his promise to consider one of the matters to which I referred. However, the honorable gentleman did not refer to my comments concerning portion of the north riding of the Shire of Eltham, which portion has only recently been severed and is now part of the Shire of Yea.

Mr. RAFFERTY (Minister of Labour and Industry).—I am unable to supply information on the question raised by the honorable member for Greensborough as it had not previously been brought to my notice. I shall bring it to the attention of the Chief Secretary, and if necessary, arrangements will be made for the Bill to be amended in another place.

The clause was agreed to.

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

RIVER ENTRANCE DOCKS RAILWAY CONSTRUCTION BILL.

The debate (adjourned from September 30) on the motion of Mr. Wilcox (Minister of Transport) for the second reading of this Bill was resumed.

Mr. DOUBE (Albert Park).—This Bill gives authority to the Railway Construction Board to design and build a short branch railway line from the Port Melbourne station to land which is at present controlled by the Melbourne Harbor Trust. The section of railway is designed to provide a link between the existing railway and the wharf facilities provided at the mouth of the Yarra River. For some years, visitors to Port Melbourne will have noticed a large vacant piece of land running out along the foreshore to the north-west of Princes Pier. This land, which has been unused, frequently becomes dusty, and people have dumped rubbish on it. Generally speaking, the land is an eyesore and has been a sort of no-man's land. This Bill will
Enable the authorities to consider its utilization for other purposes. I understand that the Minister and the Railway Department have been in touch with the local authority, the Port Melbourne City Council, and discussed the future use of this land. I am sure that the local residents will welcome the proposal which will enable the council to beautify the area, particularly along what is known as the Boulevard. Honorable members may not know that there is a small beach in this area which is one of the cleanest beaches around Port Phillip Bay; for some reason, the refuse which passes down the Yarra River does not accumulate there. After development by the council, the area will become very attractive.

Some time in the future the Railway Construction Board will build a railway along what is known as Howe Parade, which is mentioned in today’s newspaper as being part of the route for a proposed pipeline. If this venture proceeds, it may complicate the problem. Easements already exist in the area for the sewerage main and a pipeline, and it is now proposed to construct a railway line. Residents along Howe Parade will naturally be perturbed at what could eventuate.

In his explanatory speech, the Minister of Transport pointed out that the Railway Department will make every attempt to see that the area is not spoiled and that beautification work is carried out. Probably, when the project is completed, Howe Parade will be similar to Victoria Parade, where trams run down the middle of the street, but lawns and hedges, to some extent, obscure them from view. The Minister has stated that the trains will not run frequently on the new line; possibly, when the line is built, there will be only one or two trains a day. I feel confident that the reassurances given by the Minister with regard to the safety precautions which will be taken and the beautification of the area will become a reality. The honorable gentleman must realize that the people living in the area are somewhat concerned about the proposal.

The proposed new railway will cross what is now Williamstown Road. In future, this thoroughfare will not carry as much traffic as it does at present, as the West Gate Bridge will carry a huge volume of the traffic from the other side of the Yarra River. However, as this port develops and there is further industrialization in the area, Williamstown Road will be an important artery down to the wharf complex at the mouth of the river. I direct the Minister’s attention to the fact that the railway will cross this road, hence some undertaking should be given that the type of crossing which will be provided will not block the traffic and will ensure maximum safety.

No time-table has been set down for this project. It is possible that with containerization and other developments it may never be carried out. However, this Bill authorizes the construction of the railway. The Opposition is pleased that an area of land which has been railway controlled since the war when it was used for access to goods sheds for the American forces may now become available for general community use. With the reservations that I have expressed concerning the beautification of the area and proper protection at the crossing over Williamstown Road, the Opposition does not oppose the measure.

Mr. TREWIN (Benalla).—The Country Party, whilst not enthusiastic about the desire of the Railways Commissioners to build this railway, offers no objections to the Bill. It is interesting to note that whilst our railway system extends all over the State, this proposed link line may some day prove of considerable benefit in the handling of goods exported from this country and imported into this country. I have no doubt that harbor trust facilities will be extended in the area which this line will eventually serve. The location of this line has caused some con-
cern to the Country Party, but it is realized that no great concern about the proposal has been expressed by residents in the area. Many of them have lived in the district for a very long time and now, in addition to a motorway and a nature strip at the front of their houses, they will have a railway line. The line will extend across Williamstown Road and, as the crossings are not wide enough to permit grade separation, it will be necessary for flashing lights to be installed at convenient locations.

The development of the Melbourne Harbor Trust facilities is of prime importance to every person in the State. The Country Party supports the measure, and is happy to note that it provides for compensation to be paid to people in the event of unforeseen occurrences in the construction and the operation of this extension to the railway system.

Mr. SCANLAN (Oakleigh).—The Bill is not as small as honorable members who have taken part in the debate would have the House believe. It provides for a rail connection between the Victorian railway system and the Tasmanian ferry terminal. I compliment the Minister on this legislation and hope the construction of this line will in fact take place. The Minister has had discussions with the Tasmanian Government concerning a rail link between Hobart and Melbourne, a project which is worthy of serious consideration by the Commonwealth Government. I think there should be a rail connection between Hobart and Brisbane, because Tasmania is the State which is most beset with the difficulties of relying on one form of transport. It is regrettable that roll-on roll-off railway cargo cannot be used throughout Australia.

A rail link between Melbourne and Hobart is impossible because of the lack of standard gauges. Victorian rolling-stock cannot travel on Tasmanian railway lines and, because of different truck widths, bogie exchange is not possible. I trust that the Minister and the Railways Commissioners will continue their discussions with the Tasmanian Government in the hope that a link between the Victorian and Tasmanian systems can be constructed at Devonport, and eventually there will be a link between Hobart and Brisbane.

Mr. FLOYD (Williamstown).—I have just seen a map which shows the location of this proposed railway line. I realize that any honorable member is entitled to ask the Minister for a map, but I regret that I failed to do so. I have always been of the opinion that a railway line should not be constructed across Williamstown Road unless there was grade separation.

I can remember opposition being expressed to the proposal to take the railway line from North Melbourne to Appleton Dock. In reply it was argued that there would be only one or two trains a day but now, as a result of lack of liaison between various departments, the train crosses the road during the peak period and traffic is seriously delayed.

The honorable member for Oakleigh is impressed with the idea that this line will stretch from near Salmon Street and serve the docks which are used by the Princess of Tasmania and the Bass Trader, but I point out that once the line crosses Williamstown Road it enters no-man's-land. In view of that, I should like the Minister to explain the purpose of the line. If it is not intended to feed the Tasmanian ferry services, as is envisaged by the honorable member for Oakleigh, who believes that there is a great future for the container system and the integration of the Tasmanian and Victorian rail systems, what does it do, and when will it be done?

I suspect that the Government is allowing the area to be taken over by the council—which is laudable enough—purely for the purpose of having it beautified, although I am sure that most honorable members
believed that the line was to be constructed for the purpose of establishing a connecting link between the Victorian Railways and the Tasmanian ferries. I suspect that this line will not cross Williamstown Road, and that it will not be necessary to concern ourselves with the problem of installing traffic lights.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Interpretation).

Mr. WILCOX (Minister of Transport).—I thank honorable members for their contributions to this debate. The Bill has been introduced at the instigation of the Port Melbourne City Council which, in conjunction with the Lands Department, is more than happy to take over this area which, as the honorable member for Albert Park has said, has been a no-man's-land since the war. The council desires to make better use of the land. The Melbourne Harbor Trust Commissioners and the Railways Commissioners, who are interested in the future development of the docks area at the river entrance, were concerned that if the existing reservation were relinquished there should be an alternative route available, and with the concurrence of all parties this has been arranged.

It is not known exactly when the harbor trust will develop this area but indications are that the port of Melbourne will be substantially developed. Honorable members are aware that it is one of the three container ports in Australia, and that there is likely to be increased use of this form of transport. The harbor trust is of the opinion that it might soon be necessary to develop a further container wharf in this area.

Whilst I thank the honorable member for Oakleigh for his remarks, I should like to inform him that it was my understanding that it is not envisaged at present that there will be a rail link with the ferries that run to Tasmania. That link will not be established until the Tasmanian rail system operates on standard gauge lines. I am informed that because the Tasmanian gauge is so narrow, the bogie exchange system, which works so well between the Victorian and standard gauges, cannot be implemented.

As I indicated in my second-reading speech, and as the honorable member for Albert Park has mentioned, beautification of the area will be given first priority. I consider that when any future railway works are undertaken much greater attention must be given to landscaping and that sort of beautification than there has been in the past. The safety aspect will certainly be kept well to the fore and the interests of residents taken into account. The advice of the Traffic Commission will be sought in the light of the circumstances that exist when the line is actually constructed.

Mr. DOUBE (Albert Park).—I thank the Minister for his explanation of a number of important points. I agree with him that there is nothing in this Bill or in the plans to indicate that this proposed railway line is going to have any connection with the Australian National Line terminal at the mouth of the Yarra River; it will go nowhere near it. I am glad that the Minister has reassured us on that point because if it does go near that terminal it will mean that Williamstown Road will have to be crossed again. An examination of the map reveals that Howe Parade continues across Williamstown Road and that the railway line disappears into land which is held by the Melbourne Harbor Trust. If it is to come back to the terminal, another crossing of Williamstown Road will be required. Clearly, that is not proposed. Although there might be great merit in what has been said, I cannot see how there is anything in the Bill which in any way connects this railway line with the Tasmanian terminal.
I hope the Minister will give special consideration to the point raised in regard to the railway crossing. The honorable member for Williamstown has pointed out that traffic will be inclined to build up, that not everything will be taken from this area by rail, and that road transport facilities will be required. Therefore, it could be disadvantageous to everyone if no grade separation were provided at that point.

Mr. SCANLAN (Oakleigh).—The beach front up to the entrance of the Yarra River is one complex vested in the Melbourne Harbor Trust. Although at this stage the terminal is located at the far end of that complex, in view of the plans that the harbor trust has for development in the area I am certain that the ferry terminal, or terminals, will be relocated close to the railway line. The important principle is that this legislation provides the easement which gives access to that land.

The clause was agreed to.

Clause 3 (Power to board to construct railway).

Mr. WHITING (Mildura).—I was interested in the Minister's remarks on the possible use of the docks to be built in this area of the Yarra River and I was rather intrigued to hear the honorable gentleman mention the expansion or possible expansion of the container wharves. All honorable members are aware that Swanson Dock on the north side of the river is the large container area. In fact, there is room there for quite a bit of expansion. It is difficult to understand how there could be any need for further container wharfage at another site on the river.

Mr. WILCOX.—That is the advice of the Melbourne Harbor Trust.

Mr. WHITING.—We, as members of Parliament, should take strong exception to the thinking of the harbor trust on this point. There will be quite a large container wharf on the north side of the river. If there is to be any expansion of container wharfage services, surely these must be provided at places such as Portland, or Westernport or another part of the State. If any expansion is desired and if the Government has any consideration for decentralization, additional facilities must be provided elsewhere in Victoria.

I agree that tremendous cost would be involved and that there would be all sorts of problems, but having centralized the container services at the existing Swanson Dock, if there were to be any alteration, I consider that it would be as cheap to provide facilities at Portland for preference although I should not rule out Westernport or some other port farther east. It seems strange that provision is being made now for this railway link when no work is to be done on the docks that it is to serve and when it is not conceivable that the work will be carried out in the reasonably near future. Therefore, I cannot understand the reason for the introduction of this Bill at this stage. I reiterate that if there is to be any further expansion of container services and if decentralization means anything to this State, these facilities must go to Portland or some other port in Victoria.

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

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

The sitting was suspended at 6.24 p.m. until 8.3 p.m.

RAILWAYS LANDS BILL.

Mr. WILCOX (Minister of Transport) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of a Bill to provide for the dismantling of certain railways and for other purposes.
A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

On the motion of Mr. WILCOX (Minister of Transport), the Bill was brought in and read a first time.

LEGAL PROFESSION PRACTICE (AMENDMENT) BILL.

The debate (adjourned from October 14) on the motion of Mr. Wilcox (Minister of Transport) for the second reading of this Bill was resumed.

Mr. TURNBULL (Brunswick West).—This is an interesting piece of amending legislation which is, in the main, supported by members of the Opposition. It has been the practice of solicitors to pay into the trading bank accounts, moneys entrusted to them by clients, with the result that no interest has been paid. Therefore, the banks have large sums of money available for their use. In Scotland, it was the practice of solicitors to obtain interest on clients' money. Then the British system of justice, as distinct from the Scottish system, declared that this was illegal.

In 1966, a Bill was introduced into this House which, in effect, stated that Victorian solicitors were required to pay one-third of their trust funds to the Law Institute, and the institute was required to invest the money with the banks. The Treasury also had access to the money—it could be paid to the banks or used by the Treasury. The Treasury has not yet used any of this money. In Scotland, as distinct from the Scottish system, declared that this was illegal.

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The honorable gentleman replied—

The whole of the amount so deposited has been invested in banks in Victoria and no moneys have been invested with the Treasury. The rate of interest was 5 per cent per annum and is now 5½ per cent. The Solicitors Guarantee Fund has received $3,835,489 interest from the investments of moneys deposited with the institute, and $409,799 from contributions by solicitors.

Some solicitors pay $20 and some $10. Most solicitors look forward to the day when they will not be required to make that contribution. In fact, the measure makes some adjustment with respect to solicitors' contributions.

I also asked the Attorney-General what amounts had been paid out of the fund for the purposes of the Victoria Law Foundation and what were the details of such expenditure. In 1967, a Bill to establish the Victoria Law Foundation was introduced in this House. The principal objects of the foundation are to promote legal

that legislation. Over the years, this has amounted to a little over $1 million annually, and the present extent of these deposits is $19.821 million. I recall that years ago a solicitor—he was a well-known character—apparently had no defalcations at a period when many solicitors were being deregistered because of irregularities with their trust funds. He said, “I will not be deregistered because no one seems to trust me with money, and I have no trust funds”. These trust funds are invested in accordance with paragraph (d) of sub-section (2) of section 40 of the principal Act, which provides that the interest accruing in respect of investments shall be paid to the solicitors Guarantee Fund and shall form part of that fund. Should any defalcations occur, the unfortunate people so concerned are reimbursed from this fund. I further asked the Attorney-General—

What amounts have been invested with banks in Victoria and the Treasury, respectively, and what interest has been credited in respect of such amounts?

The honorable gentleman replied—

The whole of the amount so deposited has been invested in banks in Victoria and no moneys have been invested with the Treasury. The rate of interest was 5 per cent per annum and is now 5½ per cent. The Solicitors Guarantee Fund has received $3,835,489 interest from the investments of moneys deposited with the institute, and $409,799 from contributions by solicitors.

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research and legal education, and to establish, maintain and improve law libraries. When one realizes the amount of money that is being handled by the foundation, it is sensible that it should be incorporated. The measure also provides for a quorum at meetings of the foundation and will enable the foundation to acquire property by purchase and other means. This is an extremely sensible provision.

In his reply, the Attorney-General also stated that $280,000 had been credited to the foundation in the Solicitors Guarantee Fund. The honorable gentleman then set out certain grants which had been made to universities for legal purposes. As a result of a recent amendment to the principal Act, payments have been made out of the fund for legal aid for litigants who are unable to meet their own legal costs. An amount of $120,000 has been paid to the Treasurer for legal aid during 1970.

The honorable gentleman also stated that it is hoped that the amount so paid will be substantially increased in future years. In that answer the Attorney-General appears to have accepted my hint that perhaps a little less should be paid to the foundation and more for legal aid.

A painful side of the picture is the amount which is being paid out of the fund to reimburse clients who have suffered as the result of defalcations by solicitors. In his reply, the Attorney-General said that the amount presently in the Solicitors Guarantee Fund was just over $2 million. Then, in answer to part 5 of the question, the honorable gentleman said—

Since the Solicitors Guarantee Fund was established in 1948 $1,641,651 has been paid to claimants in respect of loss suffered as a result of a defalcation. Since the Act was amended in 1966 an additional $301,012 has been paid to claimants as interest at 5 per cent per annum from the date of defalcation to the date of payment of the claim, and $26,912 for the claimants' legal costs of making and establishing their claims.

Mr. Turnbull.

Therefore substantial pay-outs of approximately $1.6 million have been made to cover defalcations by solicitors over the years. When the original measure was introduced, some members of my own party asked why should not the clients receive the interest. The client has never received it and I suppose it is more necessary to ensure that people who have been defrauded by solicitors should be reimbursed.

Most of the clauses of the Bill result from the experience of the Law Institute in administering the fund and undoubtedly certain deficiencies under the principal Act will be rectified and will enable the institute to carry out the real purpose of the legislation. Regularly, a new type of case comes to the notice of the institute, which in some way has been hamstrung by the existing provisions. It has therefore decided to seek these amendments to cure the deficiencies of the legislation so that, wherever humanly possible, the fund can reimburse clients who have been defrauded by solicitors. When the Bill is being considered in Committee, I shall discuss one or two of the clauses which have been excellently explained by the Attorney-General.

Mr. ROSS-EDWARDS (Leader of the Country Party).—This Bill contains a series of routine amendments to the Legal Profession Practice Act and the Country Party supports them. The amendments relate to the Victoria Law Foundation and the Solicitors Guarantee Fund. It is interesting to note the extent to which the Solicitors Guarantee Fund has built up quickly and that at the same time the Law Institute has been presented with problems, which are dealt with in the Bill. The day will soon come when the fund will have more than sufficient money for the purpose for which it was established. It appears that legal education could be subsidized to a greater extent than was foreshadowed when the original legislation was passed. At present the fund is invested with banks at 5 per cent interest but a proportion
could usefully be invested in semi-
Government or Government loans to
enable the people of Victoria, whose
money it is, to receive the benefit
of the investment by virtue of the
benefits derived by the State. The
Country Party supports the Bill.

The motion was agreed to.

The Bill was read a second time
and committed.

Clause 1 was agreed to.

Clause 2, relating to the Victoria
Law Foundation.

Mr. REID (Attorney-General).—
I appreciate the support given to the
measure by the Opposition and the
Country Party. The amendments
have been carefully examined by the
Council of the Law Institute and, as
has been stated by the two honorable
members who spoke during the
second-reading debate, they are de-
signed to improve the working of the
principal Act. In clause 2, the
reference to the Victorian Law Foun-
dation should be to the Victoria Law
Foundation.

The clause was verbally amended,
and, as amended, was adopted, as
were clauses 3 and 4.

Clause 5 (Defalcation by solicitor
who is or becomes bankrupt &c.).

Mr. TURNBULL (Brunswick West).
—During the second-reading debate
I said that many of the amendments
contained in the Bill were the result
of the experience of the Law Institute
in administering the Solicitors Guaran-
tee Fund.

Clause 5 is indicative of that
because its purpose is to enable the
use of the fund to finance legal pro-
ceedings by a trustee in bankruptcy,
trustee or liquidator of a company in
recovering the money which would
become available in the bankruptcy
or liquidation for payment to the
fund. In most cases, a solicitor who
is guilty of defalcation is made bank-
rupt by creditors, and during the
administration of the bankruptcy
certain legal problems arise. It is
therefore necessary that the fund
should be used for the purposes set
out in the clause. The important
aspect of the clause is that the
council may pay out of the fund to
the trustee in bankruptcy, trustee, or
liquidator such amount or amounts
and upon such terms and conditions
as the council from time to time
thinks fit for the purpose of enabling
legal proceedings to be commenced
or defended by the trustee in bank-
ruptcy, trustee, or liquidator. This is
a desirable amendment and is indica-
tive of the experience which has been
gained by the Law Institute in ad-
ministering the fund.

The clause was agreed to.

Clause 6 (Refund of contributions
on retirement or death).

Mr. TURNBULL (Brunswick West).—This clause amends section
60 of the principal Act and both the
Leader of the Opposition and I have
referred to it. Section 60 provides,
inter alia—

Every solicitor who has made twenty
annual contributions to the fund, and in
respect of whom no payment from the
fund has been made or (if any such payment
has been made) the fund has been reim-
bursed, shall be freed and discharged from
further annual contributions to the fund.

As I have already said, there is an
obligation on solicitors to pay into
this fund at the rate of $20 or $10
a year. Solicitors also pay a sub-
stantial sum when they are admitted
to practice and, as young men, many
of us found this to be a great burden.
Many solicitors may not make
twenty annual contributions; they
may retire or die before doing so.
On the retirement or death of a soli-
citor who has made twenty annual
contributions, the council of the Law
Institute, in its discretion, may re-
fund the contributions, with or with-
out interest, to the solicitor or his
legal representative, widow, or de-
pendant, but the council has no
power to make a refund if the soli-
citor has made less than twenty con-
tributions.
As the Attorney-General pointed out, there can be no logical reason for excluding from the refund provisions a solicitor who has made nineteen or less contributions, as in every case the fund has had the benefit of those contributions. I allude to this matter to show that the Law Institute is sensitive to its duty and to the deficiencies of the legislation. The institute has put forward the suggestion contained in the clause, which the Labor Party supports.

The clause was agreed to.

Clause 7 (Increase in rate of interest payable on compensation).

Mr. Turnbull (Brunswick West).—This clause amends sub-section (6) of section 64 of the principal Act. At present, when a person is reimbursed the sums which he has been defrauded, he is entitled to interest at the rate of 5 per cent per annum. In these days of liberal interest, that is a very low rate. Under the régime of the parties which rule the country today, interest rates are continually rising. The fund consists of a pool of money and it may well be that a rate of interest substantially higher than 5 per cent could be paid. The clause provides that interest at a rate of not less than 5 per cent per annum, as determined by the Council of the Law Institute from time to time, shall be paid. Most honorable members would prefer that a fixed rate of interest was written into the Act, but the balance of the fund varies according to circumstances and the Labor Party has no objection to allowing the current rates of interest to be determined by the council.

The clause was agreed to, as were clauses 8 to 11.

Clause 12 (Presumption as to money wagered, &c.).

Mr. Turnbull (Brunswick West).—This clause inserts a new section 104GA to follow section 104G of the principal Act. If a solicitor had been gambling with trust funds, it would be difficult to decide that he had been using a particular client's money. Sub-section (1) of proposed section 104GA provides—

Whenever any money has been stolen or embezzled the receiver shall be deemed, for the purposes of section 67 of the Lotteries Gaming and Betting Act 1966, to have been the person from whom the money was stolen or embezzled.

Although the bookmaker may have been an innocent party, the receiver may, if he so decides, pursue him as if it were his money which had been used. This is desirable because otherwise the bookmaker would go scot free and these moneys could not be recovered. I do not know if my interpretation agrees with that of the Attorney-General. I have no doubt that the Law Institute has had experience of a typical case and, to enable proceedings to be taken in such circumstances, has recommended that this new section be inserted in the Act.

The clause was agreed to.

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

WORKERS COMPENSATION BILL.

Sir Arthur Rylah (Chief Secretary).—I move—

That this Bill be now read a second time. It is a Bill to increase the rates of compensation payable to workers or their dependants under the provisions of the Workers Compensation Act 1958 and, where the injury to the worker was due to negligence, to remove the provisions of the Act which require the worker or his dependants to make an election to take either compensation under the Act or to sue for common law damages.

The rates of compensation payable under the principal Act at the present time are those fixed by the Workers Compensation (Amendment) Act 1965. In 1965 the increased rates were based upon
changes in the consumer price index. However, since then the Arbitration Commission has abandoned the concept of tying wage rates specifically to a price index and has adopted a minimum wage basis which it is free to adjust irrespective of changes in price indexes. Accordingly it is inappropriate to adjust the weekly rates in the Workers Compensation Act in relation to price indexes.

In the opinion of the Government Statist, the most suitable basis is to increase the weekly rate by the same proportion that the minimum weekly wage rate for males for all industries has increased over the period since the workers compensation rates were last determined. I am advised by the statist that the minimum wage rate in June, 1965, was $39.66 a week, and was $52.15 in June of this year. This means there has been an increase of 31.49 per cent.

Clauses 2 and 3 of the Bill increase the rates of compensation set out in the clauses appended to section 9 of the principal Act and in the table appended to section 11 of the principal Act by 31.49 per cent, rounded off to the nearest dollar. The amount of compensation for the death of the worker where there are total dependants is increased from $9,000 to $11,834, and the additional amount for each child under the age of sixteen years is increased from $200 to $263.

So far as the incapacity of an adult worker is concerned, the present law provides an amount of $20 for the worker and an additional amount of $6 for the wife or husband and $2.50 for each child under sixteen years of age with a maximum benefit of $31. The Bill increases those amounts to $26 for the worker, $8 for the wife or husband, and $3 for each child provided the total weekly compensation shall not exceed $41. The Bill increases from $18 to $24 the compensation payable to an injured worker under 21 years of age, and increases the maximum amount payable to such a worker from $26 to $34. The amounts payable to such a worker with respect to his wife and children are the same as for an adult worker. The limit of compensation for weekly payments is increased from $10,000 to $13,149.

Section 11 of the principal Act sets down a table of compensation payable to the worker for certain special injuries and these amounts are increased by 31.49 per cent. by the provisions of clause 3 of the Bill.

I refer now to clause 4 of the Bill. The effect of section 5 of the principal Act is that the civil rights of an injured worker are not affected by the fact that he is entitled to receive compensation in respect of an injury received in the course of employment, and provides that he may at his option either claim compensation under the Act or take proceedings independently of the Act.

When the death of the worker is alleged to be due to negligence and there are two or more dependants, it is usual for the dependants to take different remedies. One dependant, usually the oldest child, makes a claim for compensation under the Act and the other dependants institute proceedings at common law for damages. In this way, the oldest child would receive $9,000 under the present Act, or $11,834 under the Act as it will be after it is amended by this Bill, and the remainder of the dependants receive whatever damages are awarded by the court or as are agreed by settlement between the parties to the common law suit. However, under the present law, such a procedure is not open to the widow or to the child where he is the sole dependant of the worker. To that extent, they are under a distinct disadvantage in that they must, in accordance with sub-section
(2) of section 5 of the Act, make an election to take either compensation under the Act or to proceed at common law.

The effect of the amendments as proposed by clause 4 of this Bill will be to remove the requirements that the worker or the dependants of a worker must make an election to take either compensation under the Act or to sue for damages. In future the worker, and, on the death of the worker his dependants, will be able to prosecute any proceedings for damages against an employer or any other person whether or not he has accepted payment of compensation under the Workers Compensation Act. However, the overriding condition will be that he cannot obtain the benefits of both compensation and damages. If he receives common law damages, those damages will be reduced by the amount of the compensation already paid.

If on the other hand he receives damages of less than the compensation he would have received had he claimed under the Act, he may still claim for the difference between common law damages and compensation under the Act. However, under the amendments, where a judgment for damages has been received the board is empowered to refuse to make any award in favour of the worker if it is satisfied that the judgment for damages was in respect of the damages caused by such injury.

Under clause 5 of the Bill the increased rates of compensation payable under the Act and the removal of the requirement for the worker or his dependants to make an election to take either compensation or damages will be operative with respect to injuries which occurred or arose on or after 1st October, 1970. This will enable those workers injured and the dependants of those workers killed in the tragic West Gate Bridge collapse to receive the benefits of this legislation.

The Bill thus attempts to remove from the workers compensation legislation the last vestiges in the doctrine of elections which was designed to prevent a worker or his dependants from taking common law proceedings if he or they took benefits under the workers compensation legislation. The original rule has well since been greatly limited. The Government believes that the rule should be completely abolished so that anyone who may be entitled under the workers compensation legislation will not be required to elect to take proceedings at common law or proceed under the Act. However, it is, of course, necessary to ensure that compensation or damages are not given twice for the same injury. It is believed that the amendments will ensure this, but because the doctrine has been so closely woven into the legislation it is not possible to be confident that every difficulty has been foreseen.

The Government, therefore, proposes to ask the Chief Justice to have the whole question of the inter-relationship between proceedings under the Workers Compensation Act and at common law referred for consideration by his law reform committee. The Government is not suggesting that there should be any departure from the principle, but it wishes to make sure that the highest legal authorities in the State are satisfied that the Government has done what it intended to do. The Chief Justice's Law Reform Committee will be able to examine the implications of this amendment in its workings and propose any further amendments or reconstruction of the Act that may be desirable in the interest of simplicity and justice.

There is considerable need for this measure to be passed as rapidly as possible. I commend the Bill to the House and hope that honorable members will see that it is passed as soon as practicable.

On the motion of Mr. WILKES (Northcote), the debate was adjourned.
It was ordered that the debate be adjourned until Tuesday, November 10.

**STAMPS (RECEIPT DUTY ABOLITION) BILL.**

The debate (adjourned from October 20) on the motion of Mr. Reid (Attorney-General) for the second reading of this Bill was resumed.

**Mr. CLAREY (Melbourne).—**This is a relatively short Bill, covering about eight different unrelated amendments to the Stamps Act. In his second-reading speech the Attorney-General put the matter as succinctly as necessary and, as the amendments are straight-forward, it is unnecessary for me to go into them in detail. The Attorney-General said that, apart from one clause to remove a loophole in the Act and a minor amendment—

**Mr. REID (Attorney-General) (By leave).—**There seems to be some confusion. The honorable member for Melbourne is under the impression that the House is debating the Stamps Bill, whereas the Stamps (Receipt Duty Abolition) Bill has been called on. Perhaps the debate on the Stamps (Receipt Duty Abolition) Bill should be adjourned and the House should proceed with the Stamps Bill.

The **SPEAKER (the Hon. Vernon Christie).—**The Attorney-General, speaking by leave, has moved that the debate be adjourned, but I ask the honorable member for Melbourne to move the adjournment.

**Mr. CLAREY (Melbourne).—**In the circumstances, I move—

That the debate be now adjourned.

The motion for the adjournment of the debate was agreed to, and it was ordered that the debate be adjourned until next day.

**MONEY LENDERS (PRESCRIBED INTEREST) BILL.**

The debate (adjourned from October 13) on the motion of Mr. Balfour (Minister for Fuel and Power) for the second reading of this Bill was resumed.

**Mr. CLAREY (Melbourne).—**This is a measure dealing with money lenders. I do not know whether honorable members know much about this subject, or whether they have had much experience with these often quite respectable gentlemen, but I indicate that the Opposition intends to oppose the Bill.

It is a short measure and I shall repeat what I said a few minutes ago. The Minister, in his usual able manner, has presented the Bill as concisely and as clearly as possible. As honorable members are aware, a money lender is defined in the principle Act as—

every person whose business is that of money lending . . . and who lends money at a rate of interest exceeding ten per centum per annum . . .

If in any other direction loans are made at a rate not exceeding ten per cent per annum they do not come within the ambit of the Money Lenders Act.

In explaining the Bill the Minister said that its purpose was to provide a flexible power by way of regulation whereby the rate of interest of 10 per cent per annum as contained in the definition of money lender could be adjusted having regard to the prevailing cost of money. The honorable gentleman went on to explain that interest rates generally had risen fairly steeply within the past year or so.

In his opinion some amendment should be made to this rate which at one time may have been regarded as fairly high, but which to-day cannot be regarded as exorbitant. The next statement I shall quote gives some of the reasons why the Government desires to have the power to amend...
the rate by regulation—a power which we oppose. In his second-
reading speech the honorable gentle-
man said—

It is generally accepted by the legal profession that procuration fees payable to finance brokers and in particular those fees payable under the Finance Brokers (Licensing and General) Regulations 1970 must be taken into account when calculating the effective rate of interest as defined in sub-section (1) of section 3 of the Money Lenders Act.

It is clear that where the broker is the agent for the lender any procuration fee would form part of the term “interest” as defined in the Money Lenders Act 1958.

The regulations to which the honorable gentleman referred provide that the maximum rate of commission that a finance broker may receive for negotiating a loan or mortgage shall be 2 per cent per annum of the amount negotiated up to $5,000, plus 1\(\frac{1}{2}\) per cent per annum upon so much of the amount negotiated, if any, that exceeds $5,000. If this procuration fee were taken into account it would be found that the effective rates of interest charged by many institutions exceeded 10 per cent.

The Government proposes by this Bill to delete the words “ten per-centum per annum” from the definition of money lender in sub-section (1) of section 3 and to substitute the words “the prescribed rate”. Section 51 of the Act contains regulatory powers conferred on the Governor in Council and it is proposed to add the following new sub-section—

(2) The regulations may fix a rate of interest per annum as the prescribed rate for the purposes of this Act being a rate of interest per annum not less than ten per cent nor more than fifteen per cent.

Members of the Opposition are realistic inasmuch as they do not desire to adopt an arbitrary attitude and say that as 10 per cent has been the ruling rate for many years it is inflexible and must remain at that rate. However, it has always been the practice to prescribe in the Money Lenders Act the maximum rate of interest which any person can charge without coming within the ambit of the Act, and we know of no reason why that should not be done by amendment of the Act instead of by giving the Governor in Council regulatory power. The rate of interest will decrease if a period of stability exists similar to that which occurred when the Labor Party formed the Federal Government during the second world war. Therefore, we feel that Parliament should be consulted and we object to wider powers being given by regulation.

Honorable members will be aware that many regulations have tended to exceed the authority of the Act under which they are made, but the tendency is decreasing now because the Government appointed the Subordinate Legislation Committee some years ago to check all regulations. In my opinion a fixed figure should be stated in the Act so that it can be amended at any time. The Government has already taken action regarding the effective rate of interest. In his second-reading speech the Minister stated—

As certain lenders of mortgage money who are not subject to the Money Lenders Act may have lent money at a rate of interest in excess of 10 per cent due to earlier announcements concerning interest rates—

I do not know why they should make such an assumption; people who are lending money ought to be aware of the law pertaining to the maximum rate of interest which they can charge—

it is considered appropriate in this Bill to provide for retrospectivity. To make it effectively retrospective, it will be necessary to fix by statute a new prescribed rate as from 1st July, 1970.

In other words, this Bill is being made retrospective and the Government has already acted in anticipation of this House blithely saying, “We are prepared to swallow anything you are prepared to say”.

Mr. Clarey.
The House divided on the motion (the Hon. Vernon Christie in the chair) —

Ayes .. .. 45
Noes .. .. 21

Majority for the motion .. 24

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

Mr. CLAREY (Melbourne).—I am sure we are on the right track on this occasion. The Bill contains eight unrelated, unconnected, separate amendments to remove anomalies and to streamline existing procedures. According to the Attorney-General's second-reading speech the provisions of the Bill arise from reviews of the relevant sections of the law which have been suggested either by the Law Institute of Victoria or by taxpayer groups—the honorable gentleman did not state which taxpayer groups—and which are designed to remove anomalies and to streamline existing procedures. The purpose of the Bill was explained by the Attorney-General on 13th October, and therefore it is unnecessary to go over all the ground that the honorable gentleman covered.

The first amending provision in the Bill relates to the stamping of certain instruments after execution and appeals against assessments. It is proposed to extend the time for appeal against assessments from 21 days to 60 days, provided that duty has been paid within 30 days. It is also proposed to extend the time for payment from 14 days to 30 days, thus bringing the Stamps Act into line with the Probate Duty Act and with the Commonwealth Income Tax Act, the Estate Duty Act and the Gift Duty Act. A second amendment is also proposed whereby unstamped instruments are not to be received by public officers. This worthy amendment is intended to close a loophole which could cause loss of revenue. I assure the Government that the Opposition is anxious to assist the Government to close any loopholes which are found in any Act.

Members of the Government will recall that the Opposition gave considerable assistance to it in closing a number of loopholes when the amending Probate Bill was introduced in 1962. It is not relevant to the Bill before the House, but on that occasion the members of the Country Party desired that the legislation

STAMPS BILL.

The debate (adjourned from October 13) on the motion of Mr. Reid (Attorney-General) for the second reading of this Bill was resumed.
should be defeated, but the Opposition saved the Government. The Bill also extends the field, subject to Treasury authorization, for duty to be paid periodically by cheque in a number of instances. This principle was established in the Stamps Act dealing with receipt duty when instead of affixing a stamp to every receipt, persons in business or other people for that matter, could undertake to submit a periodical return and pay duty by means of a lump sum.

The Bill also provides for a refund of duty on leases where the rental has decreased. At present, if the rental is increased the document may be subject to further stamp duty, but it does not operate the other way for a rental which decreases. In many instances in future, if the rental is decreased there could be a refund of stamp duty.

The most important provision in the Bill, and the one to which the Opposition takes exception, is the proposal whereby instead of the interest rate being fixed at 9 per cent, it shall be as determined by the Governor in Council from time to time. Clause 7, which amends section 131AA of the principal Act, deals with credit and rental business. Paragraph (a) provides that in the interpretation of "credit arrangements" for the words "at a simple annual rate of nine per cent, per annum on the amount of credit provided under the arrangement from time to time outstanding" there shall be substituted the words "on the amount of credit provided under the arrangement and from time to time outstanding at a rate per centum per annum fixed by order of the Governor in Council which shall not be less than nine per cent. Therefore, no ceiling is provided in this case. Paragraphs (b), (c) and (f) of clause 7, to which I have made reference, make these alterations. During the Committee stage, the Opposition will oppose this provision and call for a division on it.

Paragraph (d) of clause 7 contains a commendable amendment to section 133AA of the principal Act. It states—

At the end of the interpretation of "credit business" in sub-section (1) there shall be inserted the expression (c) "or business of making loans to members of a credit society registered under the Co-operation Act 1958."

Many honorable members have had experience with co-operative credit societies, which are popular and are doing excellent work by lending money to their members. The members, who subscribe to, and have a share or two in, the company, are then eligible for loans as they become available. In most instances, the loans made to the society are made by the members at a reasonable rate of interest; certainly an exorbitant rate, which would bring them under the Money Lenders Act, is not imposed. The amendment to the Stamps Act proposed in paragraph (d) of clause 7 will insert in the interpretation of "credit business", a reference to the business of making loans to its members of a credit society registered under the Co-operation Act. The honorable member for Morwell is interested in societies of this type and I shall be pleased to hear his comments later in the debate.
Another provision in this amending measure to which the Opposition takes no exception relates to persons carrying on credit or rental business of not more than $2,000 per annum who are to be exempted from the necessity of making a return. These people do not have to pay any stamp duty if their total business for the year does not exceed $2,000, but they still have to submit a return. The Opposition considers it is reasonable that if they are not dutiable they should not have to make a special return.

Sub-clause (2) of clause 8 repeals section 131D of the principal Act. It will now permit the vendor in the case of instalment purchase agreements to pass on the stamp duty on such agreements. Honorable members may wonder why that is being done, and although I do not agree that it is necessary, the Opposition will not oppose the proposal. The Minister has explained it by saying that sub-section (2) of clause 8 removes the prohibition, which has previously existed in the provisions relating to duty on instalment purchase agreements, against passing on stamp duty imposed on these agreements. The existing provision prevents vendors from passing on the amount of stamp duty on instalment purchase agreements. The Minister further explained that this prohibition has been rendered anomalous by the absence of any similar prohibition in the parallel sections of the Act relating to duty on credit and rental transactions. A similar prohibition was recently deleted from the New South Wales act, leaving Victoria as the only State with such a provision. The Opposition offers no objection to that.

Clause 9 contains the terms of the present exemption for transfers of marketable securities to beneficiaries under estates of deceased persons. It is a technical clause; legal members in this House will understand it, but the majority of honorable members probably will not. However, the Opposition does not object to the clause.

The motion was agreed to.

The Bill was read a second time and committed, pro forma.

Mr. REID (Attorney-General) presented a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Revenue for the purposes of this Bill.

A resolution in accordance with the recommendation was passed in Committee and adopted by the House.

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

Clauses 1 to 6 were agreed to.

Clause 7, providing, inter alia—

Section 131AA of the Principal Act is hereby amended as follows:-

(a) In the interpretation of “credit arrangement” in sub-section (1) for the words “at a simple annual rate of nine per centum per annum on the amount of credit provided under the arrangement from time to time outstanding” there shall be substituted the words “on the amount of credit provided under the arrangement and from time to time outstanding at a rate per centum per annum fixed by Order of the Governor in Council published in the Government Gazette which rate shall not be less than 9 per centum per annum”;

(b) In the interpretation of “discount transaction” in sub-section (1) for the words “nine per centum per annum” there shall be substituted the words “the rate per centum per annum fixed by Order of the Governor in Council published in the Government Gazette which rate shall not be less than 9 per centum per annum”;

(c) In the interpretation of “loan” in sub-section (1) of section 131AA for the words “nine per centum per annum” there shall be substituted the words “the rate per centum per annum fixed by Order of the Governor in Council published in the Government Gazette which rate shall not be less than 9 per centum per annum”;

(f) In sub-section (4) for the words “nine per centum per annum” there shall be substituted the words “the rate per centum per annum fixed by Order of the Governor in Council published in the Government Gazette which rate shall not be less than 9 per centum per annum”.

Stamps [27 October, 1970.] Bill.

1331
Mr. AMOS (Morwell).—Paragraph (d) of clause 7, which amends section 131AA of the principal Act, refers to the exemption of credit societies from payment of stamp duty under the principal Act. It states—

At the end of the interpretation of “credit business” in sub-section (1) there shall be inserted the expression—

“or

(c) the business of making loans to its members of a credit society registered under the Co-operation Act 1958”;

Section 131AA provides, inter alia—

“Credit business” means the business of making loans or entering into credit arrangements or discount transactions but does not include—

(a) the business of a pawnbroker carried on in accordance with the provisions of the Pawnbrokers Act 1958; or

(b) any business which is effected or evidenced by an instrument in which subdivision (14) applies.

I believe the Government’s original intention was that credit societies which were registered in Victoria were to be exempt from the payment of stamp duty under the provisions of the Stamps Act 1958.

During the second-reading debate on the Stamps Bill on 9th November, 1966, which is reported in volume 284 of Hansard, the Premier, at page 1507, stated—

By far the most important movement away from hire-purchase has resulted from the use of personal loans and loans secured on chattel mortgages and bills of sale to finance the purchase of goods and services. It is essential that personal loans used for these purposes should be included in the Bill if the revenue loss already sustained is to be recovered.

The Bill has therefore been drawn to include loans at rates of interest over 9 per cent made by persons engaged in the business of lending, but excluding loans made for housing purposes and loans by pawnbrokers. By this means duty will be levied on the kinds of loans used to finance the purchase of goods and services in substitution for hire-purchase, since these are invariably at rates of interest exceeding 9 per cent per annum. On the other hand, the interest rate criterion will operate to exclude most lending by banks, insurance companies, credit unions, &c.

In a foreword to a publication entitled It's Not Just Money, United States Senator Paul H. Douglas describes a credit union as follows:—

A credit union is simply a co-operative financial institution—a union of people who pool their money to help one another. The people who belong to a credit union also own it, and the people who own it control it. Those who control a credit union are its members, and members are the only ones who can use its services.

A credit union is democratic. It seeks to serve the common man. It harnesses the modest economic and financial resources of its members and multiplies them into a powerful force for the common good. It is a union which brings financial strength to those who belong to it.

I believe honorable members ought to be more aware of what credit societies are. During the Budget debate I mentioned the ever-increasing burden being borne by low-income earners in this State. People on low incomes seek assistance from credit societies to better themselves, but since February, 1967, they have had to pay the stamp duty which has been imposed by the Government although, as I said earlier, it does not seem to have been the Government’s intention that they should. In his second-reading explanatory speech, the Attorney-General said, inter alia—

Paragraph (d) of clause 7 exempts credit societies from duty on loans to members. It was originally the Government’s view that credit societies would not be affected by credit and rental duty by reason of the interest rate criterion. In fact, it has been represented that, because of their method of operation, many societies could not easily avoid duty, and this difficulty has been increased by rising interest rates. The Government now feels that complete exemption is justified.

At the time of the debate on the Stamps Bill on 23rd November, 1966, it became apparent to credit societies in this State that they would have to pay stamp duty if interest rates were more than 9 per cent per annum. As a result, certain representations were made to the Premier. During that debate, the Premier said—

In the fortnight that has elapsed since the introduction of this Bill those sections of the business community affected by it have had the opportunity to study its impact on their operations. As a result, a number
of submissions have been received directing attention to the impact of the legislation on particular types of transactions.

I contend that credit societies did in fact make representations to the Premier on that occasion and informed him that they would be affected by the 9 per cent per annum criterion.

As I said before, credit societies are doing a great deal of good in this State. The latest statistics I have seen reveal that there are now 164 credit societies in this State; as a matter of fact, the Latrobe Valley credit unions are growing in membership faster than those in any other part of this State and, perhaps, in Australia. Credit societies adopt a very liberal attitude towards their clients. They have assisted hundreds of families to overcome their financial problems and to become useful members of society. They do not experience a great deal of competition from other lending organizations since, as I am sure every honorable member is aware, there are advantages to be gained from borrowing through credit societies rather than through private finance companies, because of the many services which are offered by societies. Despite that, because of public apathy people are exploited by companies which are not registered in Victoria and by others whose parent companies are owned by overseas interests. Borrowers from credit unions ought to be encouraged, and should not have to pay stamp duty.

As I said during the debate on the motion for an Address-in-Reply to the Governor’s Speech, under existing legislation credit societies are placed at a serious disadvantage; for example, a retail store budget account of less than $200 in respect of which interest of 26 per cent is paid is exempt from stamp duty. People who borrow from credit unions to save money must pay stamp duty of 1½ per cent on their loan, yet credit unions are helping to build the society in which we live. In his second-reading speech on the Stamps Bill on 9th November, 1966, the Premier referred to budget accounts when he said—

Where no charge is made for the provision of credit, the arrangement will not be dutiable; nor will arrangements for provision of credit up to and including $50. This means that ordinary monthly charge accounts and small budget accounts will not be dutiable, but large accounts will be dutiable if a charge is made. These have tended to become substitutes for hire-purchase in the field of credit provided by the retailer.

In some instances, large retail stores which operate budget accounts have been able to attract customers who can take a budget account for as much as $200 and are exempt from the payment of stamp duty. Members join credit societies because of the low interest rate and the counselling services available. If they borrowed the sum of $200 from their credit union and bought $200 worth of goods—if not more, because of the bargaining power they had in hand—they had to pay stamp duty. As I said previously, the Minister stated in his second-reading speech—

It was originally the Government view that credit societies would not be affected by credit and rental duty by reason of the interest rate criterion.

On 20th October, I asked the Treasurer—

What stamp duty on loans has been paid by credit unions up to 30th September, 1970?

That would have been since February, 1967. The answer supplied by the Premier and Treasurer was “$78,369” . Credit unions registered in Victoria have paid that amount to the State Government in stamp duty. In view of the fact that the Premier and Treasurer and the Attorney-General, in his second-reading speech, have stated that the Government did not intend that credit unions should pay stamp duty, I consider that the Government has a moral obligation to repay that amount of $78,369 to the credit unions. What would the credit unions do with that sum? Questions
have been raised in this House relating to problems associated with high rise flats, poverty-line areas and low incomes. With that amount the credit unions of Victoria could provide a fine counselling service in a high-rise block of flats at Carlton or elsewhere; they could help many hundreds of families over their financial difficulties—families who have nobody else to turn to. Surely this Parliament has a moral obligation to return this money to the credit unions, having in mind the statements made by the Premier and Treasurer and the Attorney-General to the effect that credit unions would be exempted from the payment of stamp duty. I call upon the Attorney-General and the Government to give this submission careful consideration.

Mr. CLAREY (Melbourne).—As I indicated in my second-reading speech, members of the Opposition oppose paragraphs (a), (b), (c) and (f) of this clause. The honorable member for Morwell referred to paragraph (d), and naturally members of the Opposition wholeheartedly support him. The amendment contained in paragraph (e) is of a minor technical nature. In fairness to the Attorney-General, I intend to read what he said in regard to the paragraphs to which the Opposition objects. The honorable gentleman said—

Clauses 7 and 8 contain a number of amendments to the credit and rental and instalment purchase subdivisions of the Stamps Act. The most important of these amendments will serve to confirm an administrative decision which the Government announced some months ago, and which was necessary because of the rise in interest rates which had taken place. It will be recalled that when, in 1967, the Government imposed stamp duty on the various forms of loans and credit arrangements which had grown up in place of hire-purchase, duty was payable only where the rate of interest or discount specified were 10 per cent per annum instead of 9 per cent per annum.

To avoid this situation arising in the future the amendments to which I have referred are proposed.

One does not in any way question the fact that interest rates have risen and that probably the existing Act is a little restrictive in limiting to 9 per cent the rate that could be charged. The relevant section, 131AA, of the Act states, inter alia—

“Credit arrangement” means any arrangement for the provision of credit if the arrangement required the payment of interest at a simple annual rate of nine per centum per annum on the amount of credit provided under the arrangement and from time to time outstanding.

The section also contains definitions of “discount transaction”, “loan” and so on, which make the same reference to “nine per centum per annum.” It is now proposed that, in the interpretation of “credit arrangement,” instead of the words—

At a simple annual rate of nine per centum per annum on the amount of credit provided under the arrangement from time to time outstanding.

there shall be substituted the words—

On the amount of credit provided under the arrangement and from time to time outstanding at a rate per centum per annum fixed by Order of the Governor in Council which rate shall not be less than nine per centum per annum.

Similar amendments are proposed to other definitions.

If the Government has by an administrative act increased the rate of interest to 10 per cent, why could it not write it into the Bill? If it was found necessary at a later stage to increase the rate, it could be done by a simple measure, or if interest rates fell it might be justifiable to return the rate to 9 per cent as it was up to the end of June. But the Government is now providing that the interest rate shall be not less than nine per cent per annum; obviously, it does not envisage that interest rates may fall. For the same reason that we objected to amendments to
the Money Lenders Act because they contained similar provisions, members of the Opposition oppose paragraphs (a), (b), (c) and (f) of this clause. I move—

That paragraphs (a), (b) and (c) be omitted.

The Committee divided on the question that the paragraphs proposed by Mr. Clarey to be omitted stand part of the clause (Sir Edgar Tanner in the chair)—

Ayes 43
Noes 22

Majority against the amendment 21

AYES.

Mr. Balfour  Mr. Billing  Mr. Burrell  Mr. Borthwick  Mr. Broad  Mr. Crellin  Mr. Dixon  Mr. Dunstan  Mr. Evans (Ballarat North)  Mr. Evans (Gippsland East)  Mrs. Goble  Mr. Hayes  Mr. Jona  Mr. Loxton  Mr. McCabe  Mr. McDonald (Rodney)  Mr. McLaren  Mr. Manson  Mr. Meagher  Mr. Mitchell  Mr. Rafferty  Mr. Reese  Mr. Reid  Mr. Ross-Edwards  Mr. Rossiter  Sir Arthur Rylah  Mr. Scanlan  Mr. Smith  Mr. Stephen  Mr. Stokes  Mr. Suggett  Mr. Taylor  Mr. Taylor (Balwyn)  Mr. Templeton  Mr. Thompson  Mr. Trehewey  Mr. Trewin  Mr. Wheeler  Mr. Whiting  Mr. Wilcox  Mr. Wiltshire.

Tellers:

Mr. Burgin  Mr. Maclellan.

NOES.

Mr. Clarey  Mr. Curnow  Mr. Doube  Mr. Edmunds  Mr. Fell  Mr. Floyd  Mr. Fordham  Mr. Ginifer  Mr. Holding  Mr. Kirkwood  Mr. Lewis (Dundas)  Mr. Lewis (Portland)  Mr. Lind  Mr. Lovegrove  Mr. Mutton  Mr. Shilton  Mr. Simmonds  Mr. Turnbull  Mr. Wilkes  Mr. Wilton.  

Tellers:

Mr. Amos  Mr. Bornstein.

PAIR.

Sir Henry Bolte  Mr. Trezise.
the last day, when the jury is deciding its verdict. I remind the Attorney-General of the words of that famous Englishman William Blackstone as published in The Jury by W. R. Cornish—

The first object of any tyrant in Whitehall would be to make Parliament utterly subservient to his will; and the next to overthrow or diminish trial by jury, for no tyrant could afford to leave a subject's freedom in the hands of twelve of his countrymen. So that trial by jury is more than an instrument of justice and more than one wheel of the constitution: it is the lamp that shows that freedom lives.

Freedom lives in the State that pays double time to jurors only on the last day of his service!

Mr. ROSS-EDWARDS (Leader of the Country Party).—The Country Party supports the Bill. I express my disappointment that, when the opportunity arose to amend the payments to jurors, the Government did not differentiate between a half day and a full day.

The motion was agreed to.

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

METHODIST CHURCH (VICTORIA) PROPERTY TRUST BILL.

The debate (adjourned from October 14) on the motion of Mr. Thompson (Minister of Education) for the second reading of this Bill was resumed.

Mr. FORDHAM (Footscray).—For two reasons, this Bill is significant for the Methodist Church of Victoria. Firstly, it provides for a consolidation of church property management to be controlled by a new body corporate, the Methodist Church (Victoria) Property Trust. Secondly, it states in unequivocal terms the intention of the church to engage in schemes of co-operation with fellow churches in the community and to use its property for this purpose. The church is to be commended for its intentions and ecumenical spirit, well attuned to this modern age.

Returning to the first major point of the Bill, I emphasize that the church has determined that the management of its property could be more efficiently and economically governed through a central property trust rather than through a host of smaller individual trusts spread through the community.

Over the years—in fact for almost a century—experience has shown the weakness of the present unco-ordinated system. The church has been faced with problems of replacing personnel due to deaths and retirement and has encountered conveyancing problems through the present system, which has been operating for a long time.

Following the success of similar, although more far-reaching, legislation passed by the New South Wales Parliament, it has been determined to adopt the same system in Victoria. From an historical point of view the measure marks a break from tradition going back to 1859. The title of the Bill refers to Act No. 72 of 1859, which was an Act to enable the trustees to sell and convey certain land in Melbourne previously vested in them. This refers to land granted by the Crown in 1842 to the trustees on behalf of the church, which goes back to the very early days of the church and of Victoria. It is interesting to find that this measure arises from such an old Act of Parliament.

The title also refers to the Victorian Wesleyan Methodists' Act 1887. Following the separation of the Wesleyan Methodists in Australia from the English conference of that particular church, a certain amount of independence was given to the local church at that time. In 1887 certain administrative details were set up and these were confirmed by statute of this Parliament.

Perhaps the most important thing was that the Methodist model deed, which is referred to many times by the Minister in his second-reading
explanatory speech, was established at that time. It worked with the then Registrar-General of Victoria and referred to a person called the authorized representative, who was brought into account under this Act and to whom I shall refer again in a moment.

The third Act referred to is the Methodist Union Act 1902, which was an Act to confirm the union in Victoria of diverse Methodist churches of the time into what is now known as the Methodist Church, and to deal with the properties of these churches by alteration of the model deed to which I referred earlier.

In essence, this measure provides that all church lands, other than college lands, shall be vested in the Methodist Church (Victoria) Property Trust. The trust has the duty and responsibility to manage the land in the best interests of the church under the sole control of the church conference, which is a body which meets annually and can by regulation affect the work of this trust.

The Bill provides for the trust to consist of the president of the Victorian conference of the church, the secretary of the conference, the secretary of the property committee of the conference and five other persons appointed by the conference, one being a minister, and the other four, interestingly enough, laymen. I am not sure whether this has any great significance. The remaining member of the trust is the authorized representative.

The position of authorized representative is an interesting office and title and requires some explanation because it was not mentioned by the Minister. The office dates back to at least 1871. Act No. 391 of 1871 provided for the abolition of State aid to religions, which was a matter of great interest at that stage and, I suggest, in some places a matter of great interest today. The office of authorized representative was established at that time and each church had an authorized representative. The churches were empowered to dispose of lands granted by the Crown prior to the operation of the Act, to be achieved by application to the Governor by this person who was known as the authorized representative. The church has kept the office going since that time and again the title appears in this measure.

The Bill has been drafted by the church and has been approved by the Victorian conference of the Methodist Church and also by the general conference of the Methodist Church of Australasia. It seems to be a most appropriate means of modern property management, and therefore the Opposition offers no objection to the Bill; in fact it has its complete and whole-hearted support.

Mr. BROAD (Swan Hill).—I am pleased to play a small part in this historical measure which is of interest to Methodists and has a close connection with the early history of this Parliament, the Imperial Parliament in London, and the New South Wales Parliament when Victoria was part of that State. It is a simple measure designed to replace the hundreds of church and parsonage trusts all over Victoria, on two of which I serve, with a single property trust. The proposal has been approved by the Victorian and general conferences of the church and the system will become operative on the passing of the Bill.

The numerous church trusts will become property boards to carry out the day-to-day administration of the property of which they were previously legal trustees. The purpose of the measure is to make administration simpler and more flexible and to legally pave the way for closer co-operation with other churches. It will also make it easier to use the assets of churches which have become redundant in the wider and general work of the church.
Several times, the Bill refers to the model deed and other legal instruments of a past generation. It may be interesting if I sketch broadly the history of the legislation without endeavouring to repeat what has already been said. In the early days of the Methodist Church, John Wesley was given a good deal of property on which to establish churches. Much more was purchased by various congregations and, being a methodical man, in 1874 he tidied it all up legally and correctly in what is called the deed poll which was based on the democratic principle that every piece of land should be controlled by its own local trust.

As the church organization grew and expanded all over England and indeed beyond its shores, there became an obvious need for some form of uniformity in the holding of church lands, and a legal document known as the model deed was drawn up in 1832, which later received Parliamentary recognition in England. This method of holding church land was found satisfactory and adopted by the Parliament of New South Wales in 1839. One reason for this was that some people in England were inclined to regard the church in Australia as belonging to the English church.

On the separation of Victoria from New South Wales in 1851, this same method of holding church lands was carried on—still based on the old model deed. This too was given Parliamentary recognition by the Victorian Parliament in an Act known as the Wesleyan Methodist, Act 1887 and later still, with the union of the various Wesleyan and Methodist churches in 1902, a further Act known as the Methodist Union Act was passed by this Parliament. The provisions of that legislation were based on the same principle that each piece of land should be controlled by its own local trust. It is these historical Acts which this Bill repeals and replaces.

Some people will regret this transfer of power and liberty from the individual to the larger State organization, but I strongly recommend it. This interests me also as a farmer because many of the marketing acts, and particularly the Act relating to the successful wheat stabilization scheme, require that an individual must be prepared to lose some of his rights and privileges if the legislation is to succeed. A farmer cannot enjoy the advantages of a wheat pool and still retain the privilege to sell his wheat whenever he desires.

Perhaps it is a sign of a good community that people are prepared to forfeit, or partly forfeit, their rights and liberties in recognition of the wider needs of the community. I hope that the Bill will help the Methodist Church to carry on its valuable work in today's changing and challenging conditions.

Mr. WHEELER (Essendon).—To some extent, I agree with sentiments expressed by the honorable member for Footscray. It is good to note the ecumenical approach by the Methodist Church, some references to which appear in clauses of the Bill. However, I wish to refer to one or two things.

Again it is the old story of power being vested in a central authority. The Methodist Church conference office, without any approach to the local Methodist Church trusts, has decided to proceed with this measure. Some local trusts are astounded that they were not consulted. Over the years, the local trusts have successfully handled the affairs of the church at a local level and a great deal of the credit for the success of the church throughout Victoria is due to their efforts.

Over the years, a number of Crown grants have been given to the Methodist Church and these grants have been administered by the local authorities quite successfully. The present proposal has
been brought about because some church properties have become very valuable. This has been proved in inner suburban areas where a small church was established many years ago but because there is now little or no congregation it has been necessary to close the church. The local trust decided that they could bolster the stipend fees by leasing or letting the properties as storerooms. This was all right, and if a supermarket or some other large enterprise approached the local trust to purchase the site, the local trust would decide that it could successfully negotiate and spend the proceeds on establishing a church or some youth organization within their local circuit area. The central conference office said that the local trust could sell the property but that the central body would take over the control of the money. As the old saying goes, the local trusts were "as poor as church mice" and they were kept in this condition. It is all very well for Mr. Trotter, who is the solicitor for the Methodist Church to state—

The SPEAKER (the Hon. Vernon Christie).—Is the honorable member quoting from some document?

Mr. WHEELER.—Yes. It is a letter from Mr. Trotter, the solicitor for the Methodist Church conference. Enclosed with the letter were notes in which it is stated—

The present day-to-day management of trust land will not be greatly altered by this legislation. The lands of the church will be vested automatically in the Methodist Property Trust but the present local trustees will, under regulations devised to operate the Act, automatically become members of the local property boards and under the regulations will be responsible for the management, development, maintenance and use of the trust property.

They must struggle along and raise money from whatever source they can for the general maintenance, development, and improvement of the site. The moment something is to be made out of the land, the central conference says that it belongs to it and from then on the local body will have little or no say about it.

Over the years, many fine citizens of Victoria have made grants of land to the Methodist Church for church purposes but the moment the properties become redundant or of no further use conference takes over and the people who made those gifts will now have no say on what will be done with them. The Methodist Church owns some millions of dollars worth of property, in the Golden Mile and throughout Victoria. When asked for the value of the property the church said it was unable to give a figure because the properties were never valued for rating purposes. Some of the properties of which the central conference will now gain control are extremely valuable.

From time to time, there have been references in this Chamber to the Methodist Church at Coburg negotiating for the sale of its property on the corner of Bell Street and Sydney Road, for which it was offered almost $500,000. The Methodist Church conference said, in effect, "You can sell it, but the moment you do, we take control of the money." If that happened in a poverty stricken area, the local trust would have to build a church and provide the various amenities by whatever means it could. I can see no way, other than that which is set out in the Bill, in which church property can be controlled, but the least that the Methodist Church conference could have done was to advise the local trusts of the effects of the measure and also give them some recognition for their work over the year.

Mr. REID (Attorney-General).—With regard to the comments of the honorable member for Essendon, I remind the House that this is a private Bill, the text of which was submitted by the Methodist Church conference. The church authorities had the services of Parliamentary counsel. In similar circumstances the Government is pleased to offer these services to any church. However, as this is a private Bill, the Government is not disposed to make or suggest
any amendment. No doubt, the remarks of the honorable member for Essendon will be conveyed to the church authority.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 17 were agreed to.

Clause 18 (Certain wills, deeds, &c., to take effect as if Trust named therein as devisee donee or beneficiary).

Mr. BROAD (Swan Hill).—It was to clause 18 that the remarks of the honorable member for Essendon related. It provides, inter alia—

(1) Subject to this Act whenever by any will deed or other instrument any land situate in Victoria—

(a) is devised given or granted to the Church; or
(b) is devised given granted released conveyed or appointed or is declared or directed to be held upon trust for or for the benefit of the Church;

the said will deed or instrument shall be construed and operate and take effect as though the Trust had been named therein as the devisee donee or beneficiary.

I fear that the honorable member for Essendon is somewhat influenced by the type of thinking which kept the Australian States separate for so long and which led to the building of separate railway systems. It is only by acting in unison in a democratic way, as we do in this Chamber, that we will ever get over some of those ideas, and this applies in church life too. The Methodist Church conducts its affairs at its annual conference in much the same way as the affairs of this House are conducted. This is the essence of democracy. There cannot be efficient church administration any more than there can be an efficient Parliament if all the hundreds of isolated parts exercise a power greater than that of the whole.

If the local churches want more say in the affairs of the church, they should make sure that they are represented at the conference. There is nothing undemocratic about the process.

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

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

FOOTWEAR REGULATION BILL.

This Bill was returned from the Council with a message relating to amendments.

It was ordered that the message be taken into consideration next day.

LABOUR AND INDUSTRY (SHOP CLOSING) BILL.

This Bill was returned from the Council with a message relating to amendments.

It was ordered that the message be taken into consideration next day.

ADJOURNMENT.

ROYAL COMMISSION ON WEST GATE BRIDGE DISASTER: ISSUE OF PAMPHLET — EDUCATION DEPARTMENT: TEACHER TRAINING IN WESTERN SUBURBS—BUSINESS OF THE HOUSE: ORDER OF BUSINESS.

Mr. REID (Attorney-General).—I move—

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

The motion was agreed to.

Mr. REID (Attorney-General).—I move—

That the House do now adjourn.

Mr. CRELLIN (Sandringham).—I draw the attention of the Chief Secretary and of the Attorney-General to what I believe to be a serious offence which is being committed by the author and the distributors of a pamphlet that is being distributed in Melbourne. It is headed, "Murder Pure and Simple", and it is issued by "Builders' Labourers and Marxist-Leninist Communists". Extracts from it read—

The sole purpose of this Royal Commission is to divert attention from what is purely and simply murder.
No Government ever appointed a Royal Commission unless it knew in advance the result;

And Bolte is a notorious political criminal anxious to cover up his classes's criminality. Such people as Bolte, Gorton, Whitlam, Holding and Co. are tarred with the same brush.

Then they will get a "judge"—a tame hireling—to "adjudicate", that is to white-wash.

I should like to be informed whether the statements in this pamphlet constitute a contempt of the Royal Commission which has been constituted to inquire into the recent West Gate Bridge disaster. I also suggest that Mr. Speaker may wish to investigate whether the statements constitute a contempt of Parliament.

Mr. GINIFER (Deer Park).—I draw to the attention of the Minister of Education the problems confronting the western suburbs with regard to teachers' training college. As reported on page 168 of Hansard of 16th September last, the honorable member for Williamstown asked the Minister of Education whether he was aware of the wide publicity which was given to promises by Liberal candidates that a Liberal Government would treat a teachers' training college in the western area as an urgent priority, and the Minister replied that the immediate need was for an improvement and enlargement of existing colleges. A further question was asked in the House today concerning the number of schools in the western suburbs which are training schools for the Melbourne and Coburg teachers colleges. The situation is that some of the biggest cities in Melbourne—Sunshine and Keilor, which have a population of about 150,000 people—have only one primary school which is designated as a training school for teachers. I ask the Minister to consider, at both administrative and policy levels, the nomination of further schools in the western suburbs to be used for teacher training.

Mr. THOMPSON (Minister of Education).—It has been decided that the additional $13 million to be spent over the next three years will be devoted towards increasing the size of existing colleges so that they can be regarded as economic units. In the past they have tended to be too small, especially having regard to the facilities which are necessary for teacher training.

It is true that no decision has yet been made concerning the provision of a college in the western suburbs, but land has been reserved for the purpose. I believe the suggestion put forward by the honorable member for Deer Park to be reasonable; in fact, the department is using schools as far away as Geelong for secondary teacher training, and I do not think it would be unreasonable to extend the number of schools. I shall discuss this suggestion with the director of teacher training.

Sir ARTHUR RYLAH (Chief Secretary).—I am sure every honorable member agrees that the pamphlet to which reference has been made by the honorable member for Sandringham contains propaganda of a filthy type. The fact that the pamphlet brackets Bolte with Holding and Gorton with Whitlam shows either the ignorance or the stupidity of the writer; or perhaps it is the lack of reason which is displayed by people who promote propaganda of this type. The fact that such a pamphlet should be issued for political purposes at a time when the whole community is appalled at the tragedy of West Gate Bridge should worry every honorable member. I shall discuss this matter with the Attorney-General to see whether appropriate action can be taken.

It might be of assistance to honorable members for me to indicate the business of the House which will be conducted during this week. The Government proposes to proceed with the Aboriginal Lands Bill, the State Forests Works and Services Bill—which takes the place of the
old State Forests Loan Application Bill—then the Country Fire Authority (Borrowing Powers) Bill, followed by the Urban Renewal Bill (No. 2).

The SPEAKER (the Hon. Vernon Christie).—The honorable member for Sandringham suggested that a matter of privilege could be involved in the issuing of the pamphlet to which he referred. The normal procedure is for the honorable member to discuss the matter with me beforehand. If it were then thought to be appropriate to move a substantive motion, I would indicate to the House then, or subsequently, whether I thought there was a prima facie case. I suggest that the honorable member may care to discuss this subject with me, in case he has cause to raise a similar matter in future.

The motion was agreed to.

The House adjourned at 10.50 p.m.

Legislative Council.

Wednesday, October 28, 1970.

The PRESIDENT (the Hon. R. W. Garrett) took the chair at 4.28 p.m., and read the prayer.

METHODIST CHURCH (VICTORIA) PROPERTY TRUST BILL.

This Bill was received from the Assembly.

The PRESIDENT (the Hon. R. W. Garrett).—I have examined this measure, and am of opinion that it is a private Bill.

The Hon. G. L. CHANDLER (Minister of Agriculture).—In another place this Bill was ruled to be a private Bill, but was treated as a public Bill. I propose that the same procedure should be adopted in this House. Therefore, I move—

That this Bill be dealt with as a public Bill.

The motion was agreed to.

On the motion of the Hon. G. L. CHANDLER (Minister of Agriculture), the Bill was read a first time.

COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. MURRAY BYRNE (Minister of Public Works), was read a first time.

CHILDREN’S TRAFFIC SCHOOLS. OPERATION: USE.

The Hon. O. G. JENKINS (South-Western Province) asked the Minister of Public Works—

(a) What is the number of children’s traffic schools operating in Victoria?

(b) Do members of the Victoria Police Force assist in the operation or provide instruction at such schools?

(c) What was the approximate number of State primary and other schools, respectively, making use of each traffic school’s facilities in the year 1969?

The Hon. MURRAY BYRNE (Minister of Public Works).—The answers are—

(a) The exact number of children’s traffic schools in Victoria is not known. These are usually established by community organizations and are not subject to departmental control.

(b) Police assistance is provided at the following schools:

- Kew.
- Dandenong.
- Essendon.
- Moorabbin.
- Kyabram.
- Morwell.
- Geelong.
- Bendigo.
- Horsham.
- Newport.

(c) This information is not available from departmental records as the attendance of pupils at such schools is left to the discretion of the individual principals.

PUBLIC WORKS DEPARTMENT.

PROPOSED POLICE STATION AT PRAHRAN.

The Hon. G. J. O’CONNELL (Melbourne Province) asked the Minister of Public Works—

(a) How many premises in Francis Street, Summers Street and Malvern Road, Prahran, respectively, were acquired by the
Public Works Department, in 1962, for the proposed new police station, and what was the acquisition price in each case?

(b) After a wait of eight years, has any provision been made by the department for this building in the current Estimates; if so, what stage has planning reached?

The Hon. MURRAY BYRNE (Minister of Public Works).—The answers are—

(a) No properties were acquired by the Public Works Department in 1962. Details of properties purchased are as follows:

1. 394-396 Malvern Road, 1-17 Francis Street, 17-21 Summers Street; $62,000; 18th May, 1963.
2. 398 Malvern Road; $12,750; 10th February, 1970.
3. 400 Malvern Road; $12,100; 10th April, 1970.
4. 402 Malvern Road; $19,500; 30th September, 1970.
5. 404 Malvern Road; $21,500; 7th September, 1970.
6. 406 Malvern Road; $18,000; 5th March, 1970.

(b) Treasury funds have not been provided for building work to commence this financial year. An interdepartmental committee has been convened to undertake planning requirements in order that designs for the whole building complex can be commenced.

TOURISM.

ADVERTISING.

The Hon. D. G. ELLIOT (Melbourne Province) asked the Minister of State Development—

(a) What is the annual advertising appropriation for tourism in Victoria?

(b) How much is spent—(i) within Victoria; (ii) in each of the other States of the Commonwealth; (iii) in New Zealand; and (iv) elsewhere?

The Hon. V. O. DICKIE (Minister of State Development).—The answers are—

(a) $135,000.

(b) (i) $87,500.

(ii) New South Wales 23,000
South Australia 11,000
Queensland 11,000
Western Australia —
Tasmania —
Northern Territory —

$45,000

(iii) $1,500.

(iv) $1,000.

WHEAT INDUSTRY.

SHORTFALL IN PRODUCTION: QUOTAS.

The Hon. B. P. DUNN (North-Western Province) asked the Minister of Agriculture—

In view of an anticipated shortfall in Victoria’s wheat production, due to seasonal conditions—

(a) Will any shortfall in individual wheat growers’ quotas, this season, be added to their quotas for the 1971-72 season; if so, will shortfalls be added automatically to wheat growers’ quotas, without application?

(b) If there is a substantial shortfall in the Victorian wheat quota, will the State have this shortfall added in full to its quota next year?

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

(a) Under sub-section (3) of section 38 of the Wheat Marketing Act 1969, the holder of a quota or special quota who, because of circumstances adversely affecting his wheat production, is unable to deliver the full quantity of wheat allocated to him for this season is entitled to have the amount by which his deliveries fall short of his allocation added to his quota for the season 1971-72. The addition will be made without application.

(b) The wheat quota legislation makes no provision for the quantity of the State shortfall in any season to be added to the State quota for the next season. The quantity of the Victorian wheat quota for each season is determined by the Governor in Council on my recommendation after consultation with the Victorian Farmers Union. I would expect that the quantity which the union will propose for next season will be that portion of the 1971-72 Australian wheat quota allocated to Victoria.

However, as the Australian wheat quota for each season is determined by the Commonwealth Minister for Primary Industry and the State Ministers for Agriculture after consultation with the Australian Wheatgrowers Federation and, as the determination for next season will not be made until early in 1971, I am unable to say at this stage what arrangements, if any, will be made with regard to any Victorian State shortfall in the current season.

NATIONAL PARKS AUTHORITY.

CLASSIFICATION OF PARKS.

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

Further to the answer given to question No. 5 asked in this House on the 27th instant, has the Government taken any
action to prescribe classifications of national parks by regulation under the powers contained in sub-section (3) of section 8 of the National Parks Act 1958; if not, why?

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

No; the preparation of draft regulations has been delayed pending review by the classification committee of the National Parks Authority of the proposed classifications in the light of experience gained in preparing pilot schemes for individual parks. The matter has been further delayed while the officer responsible for this matter has been overseas on a Churchill Fellowship. While he has been overseas he has been giving particular attention to matters related to park classification. His report and recommendations are not yet available for consideration.

EDUCATION DEPARTMENT.
SECONDARY SCHOOL FOR MELTON.

The Hon. A. W. KNIGHT (Melbourne West Province) asked the Minister of Public Works—

When is it proposed to build a secondary school at Melton?

The Hon. MURRAY BYRNE (Minister of Public Works).—The answer is—

There is no proposal to build a secondary school at Melton in the immediate future.

BUSINESS OF THE HOUSE.
ALTERATION OF SESSIONAL ORDERS.

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

That so much of the sessional orders as provides that the hour of meeting on Tuesday shall be half-past Four o'clock and on Wednesdays Four o'clock, that on Wednesday in each week private members' business shall take precedence of Government business, and that no new business shall be taken after half-past Ten o'clock be suspended until the end of December next and that until the end of December next the hour of meeting on Tuesdays shall be Four o'clock and on Wednesdays half-past Two o'clock and that Government business shall take precedence of all other business. I give the usual assurance that the interests of private members' Bills will be safeguarded and that, as usual, I shall confer with the Leaders of the other parties in connection with the business of the House.

The motion was agreed to.

STANDING ORDERS COMMITTEE.

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

That the Honorable J. M. Walton be discharged from attendance upon the Standing Orders Committee, and that the Honorable J. W. Galbally be added to such committee.

The motion was agreed to.

LABOUR AND INDUSTRY (EQUAL PAY) BILL.

The Hon. J. W. GALBALLY (Melbourne North Province).—I move—

That this Bill be now read a second time. With the passage of the years, and as I introduce this Bill every spring season, I seem less able to understand why such a simple proposition should not receive the entire assent of the House. Equal pay for equal work needs no advocate. It is not a mathematical or economic proposition—it is a human right. It should be available to all labourers in the vineyard, whether they be male or female, black or brown, irrespective of race, creed or religion. But here am I endeavouring once again to persuade this august assembly—all males—that it should grant equal pay to the female.

I have contemplated the resistance to this proposition, and I have decided that there is in our community, and there has been in civilization since the dawn of time, an attitude of superiority by the male in which he refuses to accept that he is not the creature of God and that the female is not his servant. Henry Ford, who was a wise man in certain respects, was by no means frank when he described history as bunk. What he should have said, and what I have now discovered and proclaimed, is that history is a conspiracy by the male to blame the dim recital of crimes, follies and misfortunes of mankind onto the female. Man has always believed that he is the whole world and the breath of God; that woman is the rib, the crooked piece of man; and that the world is made for him—he is superior, she is his property, even his slave.
But from the dawn of time, man has made such a mess of running the world that he had to look for a scapegoat so he very quickly learned that he had to blame the female. The crystallization of these beliefs has been handed down from one generation to another under the name of history and we all believe it or are expected to. This birthright priority whereby males should and do rule females can be seen in every branch of our activity. This is evident in industry, technology, education, science, law, medicine, political offices and even the Police Force.

The Hon. M. A. Clarke.—What about the monarchy?

The Hon. J. W. Galbally.—When one speaks of the monarchy, one should remember the Gallic law of France under which no female can succeed to the throne, but this is not so under our monarchy. However, I do not wish to speak on this subject because, under May’s Parliamentary Practice, the monarchy should not be discussed by Parliament. Therefore, an embarrassment turns out to be an enrichment.

The President (the Hon. R. W. Garrett).—May states that members should not speak of the monarchy in a derogatory sense, but in this case the reference was not derogatory.

The Hon. J. W. Galbally.—I agree, but Parliament was first established as a protest against the monarchy, and we still assert our essential tradition at the opening of every session, when a privilege Bill is introduced to assert our rights against the arbitrary power of the Crown.

From the dawn of time, male superiority had to be asserted and this has created some problems due to Adam’s foolish disobedience. He did not want to take responsibility for it, so he blamed Eve and said that she had practically forced the apple down his throat. Adam’s plausible excuse has been seized upon and used ever since. “Frailty, thy name is Woman” is nothing more than an advertising gimmick by the male to transpose the muscular inferiority of the female into an attitude of mind.

From the dawn of creation, man—an ungalant fellow—has used his pleasant indiscretions and offered the excuse that, “She did it; she made me do it.” The time has come when the whole truth, and nothing but the truth, must be told. I have grown tired of discussing the minor details of a measure relating to equal pay, so let us unmask this conspiracy, of which plenty of examples are available.

The ancient Greeks grew tired of living at home and decided to get away from it all. They had to have an excuse, so they chose a woman, Helen. It was not her face that launched a thousand ships but their hopes of conquest of a thousand pretty faces that kept them away from their homeland. Ulysses gave the whole show away. When the war was over and it was time to go home, he did not care for it. Believe it or not, it took him ten years to get back to his wife and family, dallying as he did with many a voluptuous creature on the way.

The Romans learned well the lesson of Adam and of the Greeks, because when one of their heroes, Antony, was disgraced at the battle of Actium—he had had a very late night the night before—the Romans could not accept that he was to blame. It was Cleopatra whom they sought to blame. They denounced the brilliant ruler of the Nile as a seducer, and so it has passed into history.

History is bunk because it is a conspiracy by the male against the female to excuse his idiocies, blunders, atrocities and follies. Modern instances are too painful to recall. Invariably man the ogre has painted woman as the temptress, bringing about his and his country’s ruin. Much of this is now folklore. The French dogma is cherchez la femme—seek the woman. These platitudes and cliches are part of the
language—that a woman’s place is in the home; that women are irrational; that even an educated woman is not capable of rational argument; that women are not put at the head of affairs or in any position of responsibility because they are hysterical.

Two of the greatest examples of hysterical men at the head of affairs in this century have been Hitler and Mussolini, two madmen. One only has to consider their ravings to realize the truth of that statement. Napoleon, who was a man of some depth and thought, although I suppose he was responsible for sending more people to their doom than any other leader in modern times, on one occasion said that women should control the ship of State. However, he was far too busy arranging for millions of Frenchmen to die near Moscow to bring it about.

It is the men who have believed in the legacy of fire and the sword; it is the men who have abhorred law throughout the ages; and it is men who have despised thought and reason. It is men, not women, who are the products of superstition and hysteria. Caesar and the Ides of March, and that other poor fellow, Macbeth, and the witches, are examples. It is men who have denied woman a charter of her rights—social, political and economic. Consider how we treat women at social functions in this building. In Queen’s Hall, the men congregate in one corner and the ladies in another.

The Hon. I. A. SWINBURNE.—Is that how you treat your good lady?

The Hon. J. W. GALBALLY.—Perhaps I do not attend as many functions as Mr. Swinburne. Perhaps in some instances the woman is strong enough to compel the man to stay by her side.

The Hon. H. M. HAMILTON.—You do not believe the story about the hand that rocks the cradle?

The Hon. J. W. GALBALLY.—I do. In the stories of the growth of Australia there is no more heroic tale of self-sacrifice and devotion than that of the women of the Australian outback. What sort of cradle were they rocking? It did not exist. Their lot was drought, fire and flood; loneliness and children; hardship and want. Is there no voice, no pen, to proclaim their heroism?

Many people on the land today are in a desperate plight, but it is a matter of principle that this generation of women on the land will survive and will encourage the menfolk to survive because they have received the torch of heroism from another generation.

The Hon. V. T. HAUSER.—How much is Mrs. Galbally paid?

The Hon. D. G. ELLIOT.—Spoken like a stock broker!

The Hon. J. W. GALBALLY.—It would not be germane to the Bill to embark upon a dissertation with respect to stock brokers, but perhaps that might be the subject of another debate. The honorable member ought to be satisfied that there has been no statutory control of the stock exchange up to date. Admittedly, this is not germane to the Bill.

It will come as no surprise to honorable members that the Bill instructs wages boards to fix the wages of women at the same rates as those of men if they perform the same work. That simple proposition ought not to find any disputant in this House.

The Hon. D. G. ELLIOT.—That is all you need to say.

The Hon. J. W. GALBALLY.—That is all I should need to say but I have been saying it for years and becoming old and weary in doing so. It has been said on past occasions in this House that the legislature would be going outside its functions if it were to direct a wages board. Has anyone ever heard such nonsense?

The Hon. J. M. TRIPOVICH.—But trade holidays were wiped out in one fell swoop.

The Hon. J. W. GALBALLY.—That is so. In 1913, some people went to a wages board and suggested
that there should be equal pay for women. On appeal, the matter went before Mr. Justice Cussen, later Sir Leo Cussen, one of our great judges. The appeal case, *in re the Commercial Clerks Wages Board*, is reported in 19 Argus Law Reports at page 142. Sir Leo Cussen said that such a profound change ought not to be attempted at the judicial level; it was a matter for Parliament.

It is not for me to quote grave and weighty expressions which have been made from time to time in the Federal and other Parliaments about members not being against the principle of equal pay. The only comment I make is that the people who are minded at election times to apply the principle of equal pay seem to do their best, when there is no election in the offing, to see that it does not come about.

We need educated women in our work force; there is no question about that. More women are needed in all our activities, particularly in public affairs; we want them in the councils of the nation. More and more, wage justice is needed for the growing number of women whose husbands have deserted them and left them with families to bring up. It is true that the Governments, both State and Commonwealth, provide a small measure of relief, but these women deserve justice. It used to be said by judges who, I suppose, are since dead and gone, that the wage concept included a needs concept and provision for a family, including children. All that has gone but, although the woman who has to bear the burden of bringing up a family may work alongside a man doing exactly the same work, she receives less.

It is hoped that this measure will correct a flagrant injustice. At the rate we are going with this Bill, Victoria will be the last State in the civilized world to do that. That ought never to be said about any part of Australia, which had a reputation some time ago of being in the forefront of constructive social reforms.

On the motion of the Hon. W. M. CAMPBELL (East Yarra Province), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, November 4.

**BUSINESS OF THE HOUSE.**

**ORDER OF BUSINESS.**

The Hon. J. W. GALBALLY (Melbourne North Province).—I move—

That the consideration of Orders of the Day, General Business, Nos. 2 to 6, be postponed until later this day.

I move this motion with the consent of Mr. Swinburne, Mr. Campbell, and Mr. Nicol, who, I thought, might desire to proceed with the debate on The Constitution Act Amendment (Disqualification) Bill.

The motion was agreed to.

**COUNTRY FIRE AUTHORITY (BORROWING POWERS) BILL.**

The Hon. MURRAY BYRNE (Minister of Public Works).—I move—

That this Bill be now read a second time.

I thank honorable members for the special consideration they have given to the presentation of this Bill. This indicates the support of members of Parliament for that wonderful organization, the Country Fire Authority, and the appreciation that they have for the work which is done, throughout the whole of the year, by many thousands of men who give up their time and work in an honorary capacity to protect the lives and property of the community as a whole.
The purpose of this brief Bill is to increase the borrowing powers of the Country Fire Authority from $4 million to $6 million. All honorable members are aware that the control of the prevention and suppression of fires in the country area of Victoria is vested in the authority. To this end, the authority is empowered by the Act to take measures to supply engines, reels, hoses, pumps, and so on, and to acquire property and to establish and maintain telegraphic radio or other communication between the several stations.

Section 82 of the Country Fire Authority Act empowers the authority, with the consent of the Governor in Council, to borrow moneys to enable it to carry out the duties and functions imposed on it by the Act. Sub-section (2) of that section limits the principal liability of the authority to $4 million.

It is apparent from the existing proposed loan programme, portion of which has been approved by the Treasurer, and the authority's requirements for expansion of communication equipment and building facilities over the next few years that this amount will be inadequate. The loan liability of the authority at 30th June, 1970, was $3,521,225. The proposed loan programme for 1970-71 is $600,000, but the present limit of $4 million will permit only $478,775 of this to be borrowed, and it will permit nothing to be borrowed in 1971-72.

To pursue its expansion programme it is necessary that the authority be empowered to increase its liability in respect of debentures issued for money borrowed under the Act. Accordingly, clause 2 of the Bill increases the borrowing powers of the authority from $4 million to $6 million.

A similar course was necessary in 1955, when the limit of the authority's borrowing powers was increased from $1 million to $2 million, and again in 1966, when the limit was raised from $2 million to $4 million. I commend the Bill to the House.

The Hon. J. W. Galbally.
direction of the authority. With the exception of a few principal and regional officers, the men are volunteers who give their time and talents to this service. They look after the equipment to see that it is ready when needed and, when fires break out, they operate with great efficiency. These men are on call at all times throughout the length and breadth of the State, and I pay tribute to them. Equipment has been greatly improved since the days of the bag and bush. As a result it is possible to suppress fires more quickly than under the old conditions, and in this way save much life and property. It must also be realized that with the growth of improved pastures more destructive fires are possible. However, because of the efficiency of the men and their equipment fires can be combated successfully even on the worst days.

The Country Fire Authority maintains statistics—compiled from reports submitted by brigades—of all fires reported in various parts of the State and their causes, which are many and varied. Honorable members realize that it is on that bad hot summer day that the work of this great organization is most needed. To ensure that the authority will have the necessary money to purchase equipment and provide services so that the State may be protected, my party wishes the Bill a speedy passage.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2 (Amendment of No. 6228).

The Hon. MURRAY BYRNE (Minister of Public Works).—I thank honorable members for their cooperation in effecting the speedy passage of this Bill, which will enable the Country Fire Authority to borrow money as from 1st November. I also thank honorable members for the tributes paid to the authority and all those people associated with it.

The clause was agreed to.

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

AERIAL SPRAYING CONTROL (AMENDMENT) BILL.

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

That this Bill be now read a second time.

Section 8 of the Aerial Spraying Control Act 1966, No. 7403, provides that aerial operators undertaking aerial spraying operations should lodge with the Director of Agriculture a security in the form of an Australia-wide insurance policy to the value of $30,000 and meet other provisions of the Act.

The Crown Solicitor advised that the chemical liability policy of the Australian Aviation Underwriting Pool, the only policy available to aerial operators, did not meet the requirements of the Act. In view of this advice and to enable the Director of Agriculture to accept Australian Aviation Underwriting Pool policies already lodged so that aerial spraying could continue in Victoria, section 8 of the Aerial Spraying Control Act was amended in 1968.

The Government regarded the 1968 amending legislation as an interim measure, and for this reason notice was given in the second-reading speech to the Bill that, as the aerial spraying control legislation was to be uniform between States, further amendment of section 8 of the Act might be necessary following interstate negotiation and agreement.

At its 76th meeting held in Sydney in January, 1970, the Australian Agricultural Council endorsed a draft amended uniform security clause, recommended by a conference of Commonwealth and State Government officers held in Melbourne in October, 1969. This decision is given effect to in clause 3 of the Bill now before the House which proposes the substitution of a new section for section 8 of the principal Act, and the repeal of section 8A, as the interim provisions contained in that section will no longer be required.
The purposes of the new section 8 are to specify in the Act the scope of the indemnity to be covered by the security to be lodged, and to enable the conditions, warranties and exclusions of the insurance policies to be approved by the Director of Agriculture, after consulting the Minister of Agriculture. Under the new section, the director will be able to accept the chemical liability policy issued by Lloyds of London, an association of underwriters, as well as that available from the Australian Aviation Underwriting Pool.

The Aerial Spraying Control Act is relatively new legislation and some other problems have arisen in its administration. It has been found that aerial operators who borrow rather than lease aircraft can avoid the requirement for lodgment of a security. Clause 2 of the Bill amends the definition of "owner" to cover this contingency.

Clause 4 is a machinery clause to achieve uniformity in the wording of sections 8 and 9 of the Act. Sections 10 and 11 of the principal Act require aerial operators to keep records of operations, submit copies of records to the director and to produce the original records when required to do so. Section 10 specifies the various particulars that are to be included in the records maintained, and the Victorian Agricultural Aviation Association has requested that these particulars be brought into line with the terminology normally used by aerial operators in the recording of their operations. The Government considers this approach to be reasonable, and clause 5 of the Bill substitutes a new section 10 reworded to meet the wishes of the association. Sub-section (3) of the new section 10 provides that operators must submit a nil return when aerial spraying operations are not carried out, so that a check may be maintained on non-compliance with the provisions of the Act and regulations.

It is not practicable for officers of the Department to be present to supervise each aerial spraying operation in Victoria. On the advice of the Crown Solicitor and to overcome the inspectional problems of obtaining evidence of the operations of aircraft, clauses 6 and 7 of the Bill provide for an amendment to section 11 of the principal Act and the inclusion of a new section 15A. The purposes of these amendments are to enable signed copies of records sent to the director or copies of records taken by an officer authorized by the director to be admissible in evidence in court as proof that the aerial spraying operation in fact took place.

The enactment of this Bill will facilitate the administration of aerial spraying control legislation in Victoria, and will overcome the legal problems that arose in connection with the lodgment by aerial operators of a form of insurance security complying with the requirements of the Act.

This is the third Bill presented to Parliament to amend a new field of legislation that has been entered into during the past few years. It has been found necessary to introduce this measure to maintain uniformity among the States and to enable Victorian aerial operators to work in other States. The Bill will bring the principal Act up to date, and I commend it to the House.

On the motion of the Hon. D. E. KENT (Gippsland Province), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, November 4.

AUDIT (AUDITOR-GENERAL) BILL.

This Bill was received from the Assembly and, on the motion of the Hon. G. L. CHANDLER (Minister of Agriculture), was read a first time.

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

That this Bill be now read a second time.

It is the intention of the Government to recommend to the Governor in Council that Mr. A. J. A. Gardner,
the present Auditor-General, be appointed to the position of Chairman of the Public Service Board, from which Mr. F. E. Cahill has advised his intention to resign.

As Auditor-General, Mr. Gardner is not able to claim rights under the Public Service Act. In order that he may do so and be placed in a similar position to that of any other public servant who is appointed as the chairman or member of the board it is necessary to amend the Audit Act.

By inserting a new subdivision to section 4 of the Audit Act, clause 2 provides that service by a former public servant as Auditor-General shall be reckoned as service in the Public Service for the purpose of determining the existing and accruing right of the person concerned upon the termination of his office. It is only right and proper that Mr. Gardner, in accepting appointment to this position—one for which he is eminently qualified and suited—should be treated in all aspects the same as if he were appointed directly as an officer of the Public Service. I therefore commend the Bill to the House and ask that it be dealt with expeditiously.

The Hon. J. M. Tripovich (Doutta Galla Province).—Members of the Opposition support this Bill and are pleased to assist its passage through this House. For many years, Mr. Arthur Gardner, a diligent and capable public servant, has been a personal friend of mine. He now occupies the position of Auditor-General, to which he was appointed from the Public Service. Sub-section (1) of section 4 of the Audit Act provides—

There shall be an Auditor-General who shall be appointed by the Governor in Council and shall not be subject to the provisions of the Public Service Act 1958.

This took Mr. Gardner outside the provisions of the Public Service Act. I compliment the Government on its proposal to appoint Mr. Gardner as Chairman of the Public Service Board to replace Mr. Cahill, who was another hard working and diligent public servant. Mr. Cahill was the Chief Electoral Officer, and over the years, I had occasion to meet him in connection with those duties. I also value his friendship. It is necessary that this Bill be passed to allow Mr. Gardner to take advantage of the Public Service Act.

The Government is also wise in submitting provisions to cover any future Auditor-General who may again take up duty within the Public Service. Members of my party support the Bill; they wish Mr. Gardner well in his new position, and hope that Mr. Cahill will enjoy a happy retirement. I have many pleasant memories of friendship with both gentlemen.

The Hon. I. A. Swinburne (North-Eastern Province).—Clause 2 amends section 4 of the Audit Act to provide that service by a former public servant as Auditor-General shall be considered as service in the Public Service. Because of his proposed appointment as Chairman of the Public Service Board, Mr. Gardner comes within this category.

The Bill has been drafted to provide for any similar future appointments. I take it that, when the original Act was passed, the office of Auditor-General was removed from the ambit of the Public Service Act because he was an independent person in charge of the auditing of accounts of Government departments and instrumentalities. I shall be pleased to hear the comments of the Leader of the House on this aspect during the Committee stage.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2, providing that service as Auditor-General shall be reckoned as service in the Public Service.

The Hon. G. L. Chandler (Minister of Agriculture).—I join with Mr. Tripovich and Mr. Swinburne
in congratulating Mr. Arthur Gardner on his proposed appointment to the office of Chairman of the Public Service Board, which is probably one of the most important positions in Victoria. In every way Mr. Gardner is regarded as an outstanding man with the qualifications to do a great job. We all wish him well in the years to come.

I wish Mr. Cahill well in his retirement after lengthy public service. He was respected by everybody. I do not know the answer to the question raised by Mr. Swinburne. I should think he is correct, but I shall obtain the information and discuss it with him later.

The Hon. I. A. SWINBURNE (North-Eastern Province).—I think the matter is clear because, if the Assistant Auditor-General temporarily takes over the duties of Auditor-General, he must take a special oath before the Executive Council.

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

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

PUBLIC SERVICE (AMENDMENT) BILL.

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

That this Bill be now read a second time.

The original purpose of this Bill was to amend the Fourth Schedule to the Public Service Act 1958 wherein are listed the municipal districts in which the annual Show Day of the Royal Agricultural Society is observed as a public holiday in public offices. This amendment became necessary because of alterations in the already listed municipal districts of the City of Heidelberg—constituting the Shire of Diamond Valley—and the Shire of Lillydale—constituting the Shire of Croydon. This brings those areas into the Fourth Schedule of shops in the metropolitan area, and consequently the Opposition supports the amendment.

The Hon. J. M. TRIPOVICH (Doutta Galla Province).—This is a simple Bill and members of the Opposition do not seek an adjournment of the debate. When I read the proposals contained in a Bill passed last night to amend the Labour and Industry Act, I noticed that certain conflicts arose, but I was informed that the Government proposed to make some amendments.

As the Minister of State Development has stated, this Bill relates to a specified Thursday for Show Day. The Bill also relates to changes in the listed municipal districts of the City of Heidelberg—constituting the Shire of Diamond Valley—and the Shire of Lillydale—constituting the Shire of Croydon. This brings those areas into the Fourth Schedule of shops in the metropolitan area, and consequently the Opposition supports the amendment.

The Hon. A. K. BRADBURY (North-Eastern Province).—Members of the Country Party have no objection to the amendments contained in this small measure, which have been adequately explained by the Minister of State Development and Mr. Tripovich. The amendments are necessary because of a Bill that was passed last night.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.
RIVER ENTRANCE DOCKS
RAILWAY CONSTRUCTION BILL.

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

That this Bill be now read a second time.

The Bill authorizes the construction by the Railway Construction Board of a short branch rail line from the existing Port Melbourne line near Princes Pier to connect with port and terminal facilities being planned for future development by the Melbourne Harbor Trust at the mouth of the Yarra River. The line will be approximately 1 mile long and will follow an existing reservation under the Melbourne and Metropolitan Board of Works planning scheme from a point near Swallow Street, west along Howe Parade to the point of entry into land under the control of the Melbourne Harbor Trust. From this point, private sidings will subsequently be constructed by the harbor trust in consultation with the Railway Construction Board and the Victorian Railways to serve the requirements of the port-terminal complex as development occurs.

Originally, the Melbourne Harbor Trust had planned that its future rail link to the dock area would follow the route of sidings constructed for the Commonwealth Government during the second world war along Barak Road and the Boulevard. However, after negotiation between the Melbourne Harbor Trust, the Railways Commissioners, and the Port Melbourne City Council, agreement was reached on the proposal to provide an alternative route to the north along Howe Parade.

Subsequently, in December, 1966, when land requirements for the Lower Yarra Crossing were determined, the Melbourne and Metropolitan Board of Works amended its planning scheme to reserve Howe Parade for railway purposes. The land along Barak Road and the Boulevard, where the sidings were retained for the harbor trust as a means of future access to the dock area, is currently reserved by the Crown for public purposes, but I know that the Minister of Lands is prepared to dispose of it in a manner considered most suitable after consultation with interested parties. I believe there is some plan to turn part of the area into parkland.

If alternative access along Howe Parade is provided, as is proposed in this Bill, and the Melbourne Harbor Trust relinquishes its interest in the Barak Road-Boulevard route, I understand that the Port Melbourne City Council has plans to provide residential development in Barak Road and to beautify the foreshore area between the Boulevard and the beachfront. The responsibility for the removal of those sections of the old sidings which remain along this route will be shared by the railways and the Melbourne Harbor Trust.

The Bill is a normal railway construction Bill and has the usual clauses. Clause 3 empowers the board to construct the railway and limits the extent of deviation from the route laid down in the schedule. Clause 4 exempts the railway from the provisions of the Railway Lands Acquisition Act 1958. The Act referred to applies where it is desired to obtain a contribution from adjoining land owners towards the cost of a new line to be constructed for their benefit, but it does not apply in this instance.

Clause 5 confers power on the board to acquire by agreement or compulsorily any land which appears to be required for the construction of the railway works and conveniences. Clause 6 incorporates the Lands Compensation Act 1958, for the purpose of ensuring that proper compensation is paid to the owners of any land acquired, used or prejudicially affected in connection with the construction of the railway.

Clause 7 includes the fencing provisions concerning the liability of the board and the Railways Commissioners in regard to fencing. In constructing this line, the board is anxious that the appearance of Howe
Parade is not adversely affected. It, therefore, proposes to fence the line on either side of the median strip in Howe Parade with a low-level fence along which a hedge will be planted similar to that enclosing the tram tracks along the median strip in Victoria Parade, East Melbourne. It will be unusual to have a railway line running along the median strip, but it will be beautified.

A further protective measure will be the construction of "non-mountable" kerbing along the edge of the carriageways on either side of the median strip, which of course will carry road traffic. I believe this Bill will contribute to the development of the port of Melbourne and to Port Melbourne generally. It will certainly help to occupy and more profitably use this rather desolate area. I commend the Bill to the House.

On the motion of the Hon. G. J. O'CONNELL (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, November 4.

JURIES (COMPENSATION) BILL.

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

That this Bill be now read a second time.

The purpose of the Bill is to remove an anomaly in the provisions of the Juries Act 1967 in relation to payment of jurors. It sometimes happens that a jury is asked to sit well beyond normal court hours in order to complete a trial, rather than return on the following day. While this often suits the convenience of jurors, it also expedites the business of the court. Despite the fact that the longer period served by the jurors on the final day of trial avoids the necessity to pay them for another day, there is no provision in the Act enabling any additional payment to them in respect of the final day. In other words, there is no provision for overtime to be paid to jurors.

In the circumstances, it is proposed to amend schedule 8 to the Act in the terms set out in clause 2 of the Bill. The effect of the amendment will be that when a jury, on the last day of a trial, sits for more than eight hours, excluding meal adjournments, the jurors will be entitled to double payment for the day. I commend the Bill to the House.

On the motion of the Hon. J. M. Tripovich, for the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, November 4.

LEGAL PROFESSION PRACTICE (AMENDMENT) BILL.

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

That this Bill be now read a second time.

The Bill contains a series of amendments. The principal Act must be one of the most amended enactments on the statute-book. I do not know whether that indicates that members of the legal profession are continually changing their minds or are unable to see the future properly. I must apologize to the House for the length of my introductory remarks, which are necessary because the Bill contains a number of amendments which seem to be unrelated. Therefore, it is necessary to describe their purport and the purpose of the Bill.

One group of amendments contained in the Bill relates to the Victorian Law Foundation, and another group affects a number of provisions of Part V. of the Act, which is concerned with the Solicitors Guarantee Fund, audit and examination of solicitors trust accounts and other matters. The Bill also includes an amendment of section 40 of the Act, which deals with the amount of trust moneys which a solicitor is required to keep deposited with the Law Institute of Victoria.
Clause 2 of the Bill proposes certain amendments in respect of the Victorian Law Foundation. These are—

(a) The insertion of new sub-sections (1A) and (1B) in section 14A of the Act to incorporate the foundation with the usual ancillary provisions for protection of members of the foundation against legal proceedings;

(b) the insertion of a new sub-section (5A) in section 14A to provide for a quorum at meetings of the foundation; and

(c) the addition of new sub-sections (3) and (4) to section 14C of the Act to enable the foundation to acquire property by purchase, gift or otherwise, and to create and administer trusts in connection with such property, and to invest funds in trustee investments.

These amendments have been recommended by the foundation, and the Government considers that they are desirable to facilitate the working of the foundation.

Clause 3 affects sub-section (2A) of section 40 of the Act. This sub-section requires a solicitor to deposit with the Law Institute of Victoria a specified proportion of the moneys in his trust account, and after the initial deposit to keep deposited with the institute a sum ascertained in accordance with paragraph (b) of the sub-section.

The intention of paragraph (b) is that the sum deposited with the institute shall not at any time be less than one-third of the lowest amount of his trust moneys on any day during the current period of twelve months ending on 31st March or the period of twelve months ending on the immediately preceding 31st March. These trust moneys consist of the aggregate of the moneys in the solicitor's trust bank account, and the moneys deposited by him with the Law Institute.

The existing wording of paragraph (b) requires the selection of the day of the lowest balance in the trust bank account, rather than the day of the lowest aggregate of moneys in the bank and moneys deposited with the institute. Apparently this has caused difficulty and the proposed amendment is designed to make the position clear.

Clause 4 and the remaining clauses of the Bill are designed to improve the provisions of Part V. of the Act. The amendments proposed are concerned with a variety of matters. Clause 4 proposes the amendment of sub-section (1) of section 51 of the Act, by inserting a new interpretation of "personal representative" and adding an expression to the existing interpretation of "solicitor". These amendments arise from doubts about the effect of section 74—which enables the Council of the Law Institute to appoint an accountant to examine and report on the trust accounts of a solicitor, as defined by section 51—and of section 81A, which requires a retired solicitor, or the legal personal representative of a deceased solicitor, to file periodical audit reports until he ceases to hold trust moneys.

As the present definition of solicitor refers only to a practitioner engaged in practice as a solicitor, it appears that there is no power to appoint an accountant to investigate the trust accounts of a solicitor no longer engaged in practice or to require such a solicitor to file audit reports. The amendments in clause 4, together with those proposed in clause 9, are designed to overcome these difficulties.

Clause 5 is the first of a number of clauses in the Bill which are intended to improve the provisions of the Act enabling the recovery of money improperly paid out of a solicitor's trust account. The purpose of this clause is to insert a new section 55B, enabling the use of the Solicitors Guarantee Fund to finance legal proceedings, by a trustee in bankruptcy or liquidator of a company, for recovery of money which would become available in the bankruptcy or liquidation for payment to the fund.
Clause 6 proposes the amendment of section 60 of the Act, which provides that a solicitor who has made twenty annual contributions to the Solicitors Guarantee Fund is exempted from future contributions, and that on the retirement or death of any such solicitor the Council of the Law Institute, in its discretion, may refund the contributions, with or without interest, to the solicitor or to his legal personal representative, widow or dependants.

The council has no power to make a refund where a solicitor has made less than twenty annual contributions. There can be no logical reason for exclusion of a solicitor who has made nineteen or less contributions, since in every case the fund has had the benefit of those contributions. Possibly the limitation may have been necessary when annual contributions were the only source of the fund’s assets, but that situation no longer exists. The effect of the proposed amendments of paragraphs (b) and (c) of sub-section (1) of section 60 will be to remove the requirement of twenty annual contributions for eligibility for a refund.

Clause 7 is designed to enable the Council of the Law Institute to determine a rate of interest, not less than 5 per cent, to be paid out of the Solicitors Guarantee Fund on compensation payable to persons who have suffered pecuniary loss as a result of defalcation by a solicitor. At present sub-section (6) of section 64 of the Act fixes the rate of interest at 5 per cent. The amendment contained in this clause will enable the council, in light of the state of the fund from time to time, to fix a rate higher than 5 per cent. Having regard to interest payable on Commonwealth Bonds and other investments, the present rate appears to be unfair to claimants.

Section 69 of the Act is repealed by clause 8. This is consequential upon the amendment proposed in clause 12 of the Bill, and I shall explain the reasons for the proposals in these two clauses when commenting on clause 12.

As I have already indicated, clause 9 is related to the amendments contained in clause 4, and makes a number of amendments in section 81A. The purpose of the present clause is to ensure that, so long as a retired solicitor or the legal personal representative of a deceased solicitor retains trust moneys, those moneys will be subject to regular audit.

Clause 10 corrects what appears to be an inadvertent omission from sub-section (2) of section 98 of the Act. This section provides that any reference in sections 90, 91 and 92 to an unqualified person or to a person includes reference to a body corporate. The sub-section does not include section 93, which deals with the unauthorized preparation of legal documents, and the proposed amendment is intended to clarify the situation.

Two amendments to section 104B of the Act are proposed by clause 11. This section empowers the court in certain cases to appoint a receiver of property belonging to a solicitor or held by him or on his behalf or by his personal representative or which, but for the default of the solicitor, would have been held or recoverable by him or his personal representative.

One of the cases in which the section authorizes appointment of a receiver is where any person is unable to obtain payment of money or delivery of other property held by the solicitor for that person, because of the mental or physical infirmity of the solicitor. No provision is made for the case of a solicitor dying whilst in practice, and the difficulty is usually overcome by a practising solicitor obtaining letters of administration ad colligenda bona, limited to the trust accounts of the deceased solicitor. However, it may happen that no solicitor is willing to apply for letters of administration and accept the burden of winding up the deceased
solicitor's practice. The amendments proposed in this clause are, therefore, designed to extend paragraph (b) of section 104B to the case of a deceased solicitor.

Clause 12 proposes the insertion of a new section 104GA in the Act. As I have already indicated, the new section is intended to replace section 69. The effect of that section is that, upon payment out of the Solicitors Guarantee Fund of any moneys in respect of any claim, the Law Institute, to the extent of the payment, may exercise all the rights and remedies of the claimant against the solicitor, or members of the firm of solicitors, in relation to whom the claim arose and against the person by whom the defalcation was committed. In the case of death, bankruptcy or other disability, the section enables action to be taken against legal personal representatives or other persons administering the estates concerned.

A number of problems arise from the existing provisions and the proposed new section 104GA is intended to deal with them. Sub-section (1) of the proposed new section provides that for the purposes of section 67 of the Lotteries Gaming and Betting Act 1966 the receiver shall be deemed to be the person from whom the money was stolen or embezzled. This will overcome the problem of proving which clients' moneys have been used for gambling. Sub-section (2) provides that a receiver may bring an action to recover property at any time within six years from his appointment. The need for such a provision arises from the unavoidable delay, associated with investigation of claims and of trust accounts, likely to occur before a right of action can be established.

The provisions of sub-section (3) are designed to give a receiver adequate powers to recover money taken paid or transferred either in breach of trust, improperly or unlawfully. Sub-section (4) will enable a receiver, where money is paid in breach of trust or improperly or unlawfully to any person in respect of a cause of action, either to prosecute the cause of action in the name of the person receiving the money or to recover the money from him.

Sub-section (5) is designed to facilitate proceedings brought pursuant to the last two preceding subsections, by making a certificate of a practising public accountant as to certain facts prima facie evidence of those facts. Under the provisions of sub-section (6) a receiver is enabled to recover property used in breach of trust, improperly or unlawfully to discharge a liability of a debtor, less the consideration, if any, provided by the debtor for the discharge.

Sub-section (7) deals with the case of a person who has received compensation from the Solicitors Guarantee Fund for the whole or part of any pecuniary loss by reason of a defalcation and also receives payment from any other person in respect of that loss. In those circumstances the person compensated from the fund is required to pay to the receiver any amount by which the total of the compensation from the fund and the payment from the other person exceeds the pecuniary loss by reason of the defalcation.

Sub-section (8) confers upon the receiver the rights and remedies of a person compensated from the fund against the solicitor or firm or individual partners in the firm of solicitors, to the extent of the amount of compensation. Sub-section (9) is a transitory provision, giving effect to the provisions of section 104GA from the commencement of the Act.

This Bill makes many changes, and I think honorable members will find upon examination that they are likely to be beneficial to the administration of the legal profession. Most of them deal with the relationship of the legal profession to the public, and I am sure it will be agreed that any improvement in that direction is welcome. I commend the Bill to the House.

On the motion of the Hon. J. M. Tripovich, for the Hon. J. W. GALBALLY (Melbourne North Province), the debate was adjourned.
It was ordered that the debate be adjourned until Wednesday, November 4.

WEIGHTS AND MEASURES (AMENDMENT) BILL.

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

That this Bill be now read a second time. This Bill is one of the least weighty by any measure which is likely to come before the House during this sessional period. It does not involve any major matter of principle; in fact, with one exception its contents relate to matters arising from earlier legislation designed to give effect to a desire that, where practicable, there should be a uniformity of weights and measures law in the various States and Territories of Australia.

A number of interstate conferences have been held with regard to weights and measures, and unanimity has been achieved. In the past legislation has been enacted to give effect to that unanimous agreement. As from 1966, the National Standards Commission, established under the Commonwealth Weights and Measures (National Standards) Act has been the authority concerned with the approval of pattern of weighing and measuring instruments, such as scales, throughout Australia. Strangely enough, the Commonwealth undertook this responsibility, by unanimous request of the States. Some difficulty has arisen from differences in the meaning of "trade" and "instrument" in Commonwealth and State laws and other documents dealing with such approvals. Clause 2 is intended to remove such difficulties. It is based on drafts recommended by a formal conference of senior weights and measures officers of all States.

In general, the existing section 32 of the Act is satisfactory, in requiring new weights, measures or weighing or measuring instruments to be of patterns approved either by the National Standards Commission or under earlier State weights and measures law, if they are to be eligible for verification and stamping with a view to use in trade. However, a need had previously been recognized for authority for exceptions to be made by regulations, mainly in the case of certain simple types of weights and measures which were not subject to compulsory requirements in regard to approval under earlier State law.

The present authority to make such regulations will expire at the end of this year, and it has been learned that the commission has still to complete some outstanding work in connection with this matter and that the metric conversion—a very active topic at the moment—is likely to have effects making an extension of the exceptions highly desirable for a further period. Clause 3 therefore removes the limitation on the period of application of such regulations, but it is to be expected that these will be revoked as soon as the commission's work reaches a stage where this is practicable. Clause 3 also removes a loophole in regard to false representations in relation to the approval of patterns.

Clause 4 is the exception from the general statement that this Bill relates to uniformity of weights and measures laws. It removes the obligation of local authorities to obtain Ministerial authority for their inspectors to adjust weights, measures and instruments. Local authorities should be in the best position to judge whether there is a need for such services in their districts, and, having regard to the present requirements concerning the qualifications of inspectors, it is felt that the present provisions involve a substantial amount of correspondence without serving any useful purpose.

Parliament has already recognized that, where the weights and measures administration is involved in substantial work on behalf of individual traders in connection with the uniform packaging laws, as in issuing approved brands or in examining and reporting on packages or labels, it is
reasonable to charge fees for these services. It is currently being found that much time is being taken in inquiries and general processing needed as a result of applications for Ministerial permits or exemptions for non-complying packages or labels. This seems inevitable at a time of extensive change of the relevant laws and it would appear that an extension of the period of difficulties of this kind will result from the metric conversion. All applications are carefully examined, with a view to sympathetic treatment in cases where people hold stocks of packages or labels with infringements which can be regarded as technical, such as having slightly undersized print in statements of quantity or showing "one pound" as "sixteen ounces"; however, an unfavourable view is taken of things to the serious detriment of the purchaser, such as having no statement of quantity or a statement in approximate terms only. Clause 5 provides a regulation-making power, making it possible to prescribe fees to be paid in connection with applications for permits and exemptions for non-complying packages and labels.

Section 103 of the Railways Act 1958, in relation to standards of weight and measure to form the basis of weighing and measuring by the Railway Department, refers to "authorized copies of the standard weights and measures". Although the actual weights and measures provided for railways use need not be changed, the nomenclature and the basis of their certification as set out in the Railways Act are not currently appropriate, having regard to the operation of Commonwealth weights and measures law. Clause 6 provides a suitable change in this respect.

The Bill is of only minor consequence, but it will help in many ways with the administration of the weights and measures law. I commend it to the House.

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

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

The sitting was suspended at 6.18 p.m. until 8.3 p.m.

STAMPS BILL.

The Hon. MURRAY BYRNE (Minister of Public Works).—I move—

That this Bill be now read a second time. Any measure relating to stamp duty is not necessarily popular, because it deals with indirect taxation, which I suppose none of us would agree is the fairest form of taxation. Unfortunately, the States have been forced more and more into this particular field. The amendments contained in this Bill are designed to provide some relief and to remove some injustices. I apologize to the House because once again, like most amendments to the Stamps Act, the amendments are to a number of unrelated sections and are of a technical nature. However, it is important that honorable members should have full information concerning the proposals.

The Bill amends a number of separate sections or sub-sections of the Stamps Act, and deals with several different forms of stamp duty. Apart from one amendment which is necessary to close a loophole in the existing law, and a minor amendment of a statute law revision nature, all of the amendments proposed in the Bill arise from reviews of the relevant sections of the law which have been suggested either by the Law Institute of Victoria, or by taxpayer groups, and are designed to remove anomalies, to streamline existing procedures and to remove some injustices.

The amendments in clause 2 relate to the payment of duty and appeals and arise from requests made by the Law Institute for extended time in opinion cases, and in which to lodge appeals against assessments of duty. It is proposed to extend the time for payment from fourteen days to 30 days thus bringing the Stamps Act in line
with the Probate Duty Act and with the Commonwealth Income Tax Act, Estate Duty Act and Gift Duty Act. It is also proposed to extend the time for appeal against assessments from 21 days to 60 days, provided that duty has been paid within 30 days. It has been submitted that the present limited time for appeal gives a solicitor too little time after being advised of an assessment to consult his client before instituting appeal proceedings. The Law Institute agrees that 60 days would be adequate for this purpose.

Clause 3 relates to the lodgment of documents with public officers. The amendments are necessary to close a loophole which has appeared in the provisions of the Stamps Act requiring certain public officers, particularly the Registrar of Companies, not to register documents of various kinds unless they are duly stamped. These important provisions protect several forms of stamp duty, such as the duty on land transfers and on mortgages, by preventing registration before the correct duty is paid. The loophole which has been discovered in the existing wording of the Act leaves scope for avoiding duty by lodging with the Registrar of Companies unexecuted copies of documents whilst keeping the original documents outside Victoria. The amendment will ensure that there is no loss of revenue where such documents are lodged.

Honorable members will be aware that with various forms of stamp duty, and particularly the more recently introduced or extended forms of duty such as that on credit and rental business, the Government has been careful to provide a ready and simple optional means of payment by way of periodical returns. This enables taxpayers to avoid putting adhesive stamps on large numbers of documents and instead, to pay duty by one cheque at monthly, quarterly or other periodic intervals. The convenience which this system affords the taxpayer is now so widely recognized, and valued, that various taxpayer groups have requested its extension into older established fields of duty where there is at present no provision for returns. Clause 4 will enable this to be done in suitable cases, subject to authorization by the Treasurer.

The Law Institute has drawn to the attention of the Government that, at present, section 83 of the Stamps Act provides for additional duty to be paid where the rental in a lease is increased under a reappraisal clause, but it does not provide for any refund of duty where the rental is decreased.

The Hon. I. A. SWINBURNE. — Are rentals ever decreased?

The Hon. MURRAY BYRNE. — Yes; I should have thought that decreased rentals on farm properties would be justified. The purpose of the amendment in clause 5 is to rectify this anomaly by providing for refunds of duty in cases of downwards reappraisal. A similar provision is contained in the New South Wales legislation.

The amendment to section 89A, which is proposed in clause 6, is of a technical nature, and is intended to remove an anomaly created by amendments made at an earlier date. The original intention of section 89A which was to exempt from duty transfers of real property made pursuant to a non-dutiable deed of gift or settlement, for example, under a marriage settlement, was nullified in 1965 with the introduction of a $3 duty on deeds not otherwise chargeable with duty. The proposed amendment will bring the wording of the section in line with its original purpose. In practice the section is administered as was originally intended.

Clauses 7 and 8 contain a number of amendments to the credit and rental and instalment purchase sub-sections of the Stamps Act. The most important of these amendments will serve to confirm an administrative decision which the Government announced some months ago, and which was necessary because of the
rise in interest rates which had taken place. It will be recalled that when, in 1967, the Government imposed stamp duty on the various forms of loans and credit arrangements which had grown up in place of hire-purchase, duty was payable only where the rate of interest or discount exceeded 9 per cent per annum. The higher rates of interest which had become common by June of this year had the result that areas of the money market to which this legislation was not intended to apply became liable for duty.

At the direction of the Government, the Comptroller of Stamps has administered the Act since June of this year as though the rates of interest or discount specified were 10 per cent per annum instead of 9 per cent per annum. To avoid this situation arising in the future the amendments in paragraphs (a), (b), (c) and (f) of clause 7 delete the fixed rate of 9 per cent and substitute a power for the rate to be determined from time to time by the Governor in Council, being a rate not less than 9 per cent per annum.

Paragraph (d) of clause 7 exempts credit societies from duty on loans to members. It was originally the Government's view that credit societies would not be affected by credit and rental duty by reason of the interest rate criterion. In fact, it has been represented that, because of their method of operation, many societies could not easily avoid duty, and this difficulty has been increased by rising interest rates. The Government now feels that complete exemption is justified. Paragraph (e) corrects an error of reference which is purely of a statute law revision nature.

Sub-clause (1), of clause 8 incorporates amendments to the provisions relating to small rental businesses. Under the Act as it now stands a person who does not have rental business exceeding $2,000 per annum is not obliged to pay any duty but is nevertheless obliged to file a "Nil" return. The amendments in this sub-clause will remove the necessity for such returns. In addition, the period for making returns where the rent exceeds $2,000 is altered to coincide with the normal financial year. The amendments will relieve a large number of registered persons from unnecessary paper work, particularly many owners of taxis who lease their cabs to other drivers, and chemists who lease out medical equipment such as ray lamps. This amendment is thus purely for the convenience of the taxpayer.

Sub-clause (2) of this clause removes the prohibition, which has previously existed in the provisions relating to duty on instalment purchase agreements, against passing on stamp duty imposed on these agreements. This prohibition has been rendered anomalous by the absence of any similar prohibition in the parallel sections of the Act relating to duty on credit and rental transactions. A similar prohibition was recently deleted from the New South Wales Act, leaving Victoria as the only State with such a provision.

Clause 9 has the effect of widening the terms of the present exemption for transfers of marketable securities to beneficiaries under estates of deceased persons. The exemption as it operates in respect of transfers under a will applies only to securities specifically bequeathed to the beneficiary to whom they are being transferred, and to securities appropriated on account of a residuary beneficiary's interest in an estate. Before the transfer or distribution to beneficiaries, the trustees, in the proper exercise of their powers, may sell the estate assets and reinvest the proceeds in marketable securities. The Law Institute has pointed out that in these circumstances the transfer of securities representing other assets specifically bequeathed would not be exempt from duty. The amendment will rectify this anomaly. I commend the Bill, which I trust will have the support of honorable members.
On the motion of the Hon. J. M. Tripovich, for the Hon. J. W. GALBALLY (Melbourne North Province), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, November 4.

GOVERNOR'S SPEECH.
ADDRESS-IN-REPLY.

The debate (adjourned from October 21) on the motion of the Hon. F. J. Granter (Bendigo Province) for the adoption of an Address-in-Reply to the Governor's Speech was resumed.

The Hon. A. K. BRADBURY (North-Eastern Province).—The debate on the motion for the adoption of an Address-in-Reply to His Excellency's Speech on the opening of Parliament once again enables honorable members to express loyalty to Her Majesty the Queen on behalf of themselves and their constituents. This State is fortunate to have as the Queen's representative Sir Rohan Delacombe who, with Lady Delacombe, for years has endeared himself to the people of the State, particularly to country residents. Sir Rohan and Lady Delacombe have travelled to many parts of the State, and have left in those areas a lasting memory of two people who are of the people. All honorable members greatly appreciate their representation of Her Majesty. We are also pleased that Sir Rohan has received a further extension of his term of office as Governor.

An examination of His Excellency's Speech indicates that the Government has lived up to its performance and created a record of brevity of vice-regal speeches on the opening of Parliament. The Government's legislative programme as outlined in the Speech is extremely brief. The main feature of the Speech is this statement—

As I have indicated, my Government's objective is the continued welfare of the people of this State.

When one looks around the State, one wonders whether the Government is so much concerned about the welfare of the State, and in this regard there are many matters to which I shall address myself.

The first matter relates to education. Today grave unrest exists in the Teaching Service, and this unrest has a bad effect on the pupils, who will become the citizens of tomorrow. Unrest among teachers has hitherto been foreign to this State, but it is not difficult to find reasons for it. I desire to bring to the attention of the House and of the Government a problem which has been brought to my notice by the secretary of the Wangaratta Technical School Branch of the Technical Teachers Association.

The Hon. H. R. WARD.—This should be pretty authoritative!

The Hon. A. K. BRADBURY.—If Mr. Ward will curb his impatience and listen, when I have concluded he may agree with me. I believe this is a typical example of the anomalies which exist in the Teaching Service and which are causing much of the unrest.

As president of the council of the Wangaratta Technical School, I can say that the City of Wangaratta is proud of the school and of its teachers. At the school, there is a teacher, whom I shall call teacher A, who commenced in the teaching service in 1966, and another teacher, whom I shall call teacher B, who commenced twelve months later, receives $4,584, a difference of $200 in favour of the teacher with twelve months' less teaching experience. Another teacher, whom I shall call teacher C, commenced teaching in 1968, and receives a salary of $4,996 a year. The difference in the salaries of teacher A, who commenced in 1966, and teacher C, who commenced in 1968, is $618 in favour of teacher C. Surely Mr. Ward will agree that this
is an injustice which is not conducive to harmony and contentment within the Teaching Service.

The Hon. W. V. HOUGHTON.—What are their qualifications and classifications?

The Hon. A. K. BRADBURY.—Members of the Liberal Party always go to the kernel before they hear the full story. All three teachers completed their apprenticeship training in 1957, but although teacher A has the same qualifications as, and two years more teaching experience than, teacher C, because he entered the Teaching Service in 1966, he is at a disadvantage to the tune of $618 a year compared with teacher C. The reason for this disparity is the emphasis placed on trade experience by the Teachers Tribunal.

The Hon. H. R. WARD.—What is wrong with a good tradesman?

The Hon. A. K. BRADBURY.—No one suggests that there is anything wrong with a good tradesman. I am only pointing out that three men who completed their apprenticeship in the same year are being treated differently. The man who accepts the calling to the Teaching Service two years earlier than the third man is at a grave disadvantage, because emphasis is placed on outside trade experience and not upon teaching experience. Teacher A is carrying out the teacher-training of teachers B and C in the school, yet he is $618 a year worse off.

The Hon. W. V. HOUGHTON.—How many hours a week do they work?

The Hon. A. K. BRADBURY.—Of course, Mr. Houghton has a clear knowledge and understanding of the hours worked by these teachers. He suggests that they commence work at 9 a.m. and finish at 3.30 p.m. or 4 p.m. and that is the end of their day's work. Teachers do not work only the prescribed school hours. Almost any night of the week, many teachers are still at the school at 5 p.m. preparing their programme for the next day. This preparation is necessary so that they may efficiently fulfil their teaching duties. Mr. Houghton should get that into his head even if it is a thick one.

The Hon. W. M. CAMPBELL.—Do you not think that a teacher or a tradesman, who had five years in industry would know more about his trade than one who had served for only two years?

The Hon. A. K. BRADBURY.—Evidently, Mr. Campbell, too, has been asleep. If he had been listening he would know that I said that the three teachers came out of their apprenticeship in the same year, 1957. Teacher A had nine years' trade experience after his apprenticeship. Surely nine years' trade experience should not be discounted and held against a man who is prepared to enter the Teaching Service and devote his life to the education of our young people and who, in addition, must give part of his time to supervising teachers B and C, who have had less teaching experience.

The Hon. W. V. HOUGHTON.—How many weeks in a year do they work?

The Hon. A. K. BRADBURY.—Apparently Mr. Houghton never went to school, or he would know. It would do some honorable members good to go back to school and find out what teachers do. If they think teaching is such a wonderful job, perhaps they should join the Teaching Service. These are some of the problems which create discontent within the Teaching Service. Many teachers are giving loyally of their services and I greatly regret that the high school and technical school teacher organizations have seen fit to resort to strike action, although I realize the disadvantages under which some of them work and the anomalies that exist.

Teachers have a responsibility to teach children to be good, loyal citizens, and to help them to gain qualifications which will fit them for
their roles later in life. Unfortunately, strikes are creating great problems in our schools. There are over 70 teachers at a school in the area in which I live. When a strike was called a fortnight ago, believing that they should remain loyal to their organization, some teachers joined it. Others stayed on, and as a result, there are strained relationships at the school.

The Hon. H. M. Hamilton.—They are political strikes.

The Hon. A. K. Bradbury.—That is all some people can say. Can Mr. Hamilton say that he does not believe there are any injustices in the schools today? It is not good enough for him to say that a teachers' strike is a political strike. That is all we hear from members of the Government party. They know only two things, political propaganda and political tactics.

The Education Department should examine these anomalies realistically and create justice within the service. That will lead to harmony and goodwill and will give the teachers encouragement to carry on the wonderful work they are doing.

On 3rd March, 1970, when the Minister of State Development was Minister of Health, a report by the Dental Advisory Committee was submitted to him. I have received a letter from the secretary of the base hospital at Wangaratta directing my attention to parts of the report and its recommendations. The report states, inter alia—

Dental care for public patients in the country is almost non-existent except by reference to the Dental Hospital of Melbourne. The patients, almost all pensioners, are given free rail warrants to Melbourne, where they attend the Dental Hospital and receive treatment which is, predominantly prosthetic. For the patient, this travelling is an inconvenient time wasting procedure commonly involving several visits and besides this it adds another burden to the Dental Hospital, already treating a disproportionate number of these patients.

It is all very well to say that these people have nothing to complain about because they receive warrants for their rail travel and are treated at the Dental Hospital. But, as the report indicates, many pensioners must make three or four visits to Melbourne. They may be at the Dental Hospital for only a quarter of an hour or so, and then they must fill in the rest of the day in the smog of Melbourne. The committee made certain recommendations which would obviate this inconvenience to country people and provide them with better service. The report also states—

In view of the shortage of dentists, the committee is aware of the problems which must be overcome if these clinics are to be properly staffed; it may be some years before a full programme (some 12-15 clinics) can be put into operation, even if funds are available. Nevertheless the committee considers the project so important in view of the pressing need for local dental care, particularly in the country, that hospitals should be encouraged to establish the clinics and recruit staff as soon as possible.

The committee recommended—

That dental clinics, financed by the Hospitals and Charities Commission, be established in the major non-teaching metropolitan hospitals, base hospitals, and other larger country hospitals. Treatment in these clinics should be restricted to pensioners and indigent persons, including children of school age, who are eligible for public hospital care. In rural centres, without a practising dentist, non-public patients may be treated and fees chargeable should be at the current rates applied by the Repatriation Department.

What has been done as a result of the report? The Government frequently sets up committees of inquiry to make recommendations on one or other of the many problems facing the State, but after a report is submitted nothing more is heard of it. Dental costs are continually rising, and many pensioners and parents with large families cannot meet them. The Government should implement the worth-while recommendations of the report which relate to country people. Country pensioners and children are entitled to a proper service just as much as people who live in the city. Pensioners in the
metropolitan area receive warrants to travel by tram or train to the Dental Hospital, but instead of the journey taking a full day, as it does for many country people, it takes only a couple of hours. It is a hardship for these people who have to travel from the country. The Government should create clinics at country hospitals as recommended by the report.

Last night I spoke about river improvement trusts, and Mr. Houghton disagreed with me. Some time ago I introduced a deputation to the Minister of Water Supply. The deputation asked that an increased sum of money be allocated to river improvement trusts. The total sum granted annually had remained at $440,000 for the past ten years. During that time, the number of trusts in Victoria had increased by almost 100 per cent to 30. The Minister gave the deputation a sympathetic hearing and what, on the face of it, may appear to be greater assistance to the trusts will be provided. However, the individual trusts will be very little better off than they were. This year, the grant has been increased to $460,000. The addition of unspent grants of $50,000 gives a total of $510,000. The sum of $30,000 unspent from last year’s grant has been reallocated, making a total of $540,000. Another special grant to water trusts brings the total to $560,700. In actual fact, the authorities are only $20,000 better off, but a summary of what is being received by the river improvement trusts indicates that many are worse off.

I now refer to those trusts in the province of which I am a representative. The Kiewa River Improvement Trust last year received $17,000; this year it will receive $12,916. Last year the Broken River Improvement Trust received $30,400; this year it will receive $18,536. Last year the Boggy Creek River Improvement Trust received $15,000, but this year the amount will be $13,000. The King River Improvement Trust last year received $13,640, whilst this year it will receive $9,884. This trust employs a foreman and two other workmen whose total wages amount to $9,822, which will leave a balance of $62.

The Hon. W. V. Houghton.—The ratepayers pay proportionately.

The Hon. A. K. Bradbury.—I shall deal with that point later. Recent increases granted in the award covering municipal employees will mean that this trust will be required to pay an additional $30 a week in wages, making a total of $1,560 for the year.

A rate of .0065 cents in the $1 is struck on ratepayers within the trust’s area, providing a further $2,400 per annum. After deducting the sum of $1,560 required to meet the increase in wages, there will be a surplus of $840, plus the surplus of $62 from the Government grant. In round figures, the trust will have $900 remaining to be spent. Whilst my party willingly supported the recent proposals put forward in regard to superannuation funds, I am not aware of the additional costs this will impose on the various trusts. What can a river improvement trust do with a sum of $900 on a stream such as the King River?

The Hon. W. V. Houghton.—The honorable member stated that the trust would receive $9,000 odd.

The Hon. A. K. Bradbury.—It is difficult for me to get through to the honorable member. I endeavoured to explain clearly that the wages bill would total $9,822. There must also be taken into consideration depreciation of equipment, interest on loans and the redemption of those loans, which will absorb almost the entire amount of the rate levied. If this trend continues, this trust and many others will have to lay off employees.

With Mr. Houghton, I agree that river improvement trusts are doing worth-while work, although they do not satisfy all sections of the community. Unfortunately, they are
required to remove debris, snags, and so on, from the streams, some of which has built up over possibly 100 years. Many trusts are keeping streams to their true line and thus contributing to the mitigation of flooding.

When notification was received of the grant to be made available this year, I asked the Minister whether he would receive a deputation so that the position of the King River Improvement Trust could be explained. To my astonishment, and for the first time in the seventeen years during which I have been a member of Parliament, a Minister refused to receive a deputation, saying that no good purpose would be served by doing so. I realize that the honorable gentleman is a young and comparatively new Minister, that he has a great deal to learn, and that he may not be in a position to grant further financial assistance to the trust. However, I am sure that the Minister of Agriculture, or any other senior Minister, would have agreed willingly to meet a deputation. Only this afternoon I accompanied a deputation to a certain department. That deputation knew in advance the answer it would receive. I believe the Government has a responsibility to allow people to voice their problems. It is of no use telling people that they need not bother with a deputation because they will not obtain what they want. It is good public relations for the Ministers and departments to receive deputations. I trust that the Minister will change his attitude in this regard.

The 30 river improvement trusts that form an association in this State have asked me to again approach the Minister on their behalf so that they may place the facts of their position before him and the Minister has now agreed to receive the deputation.

Many country centres are feeling the economic squeeze and people are afraid of what may be around the corner. If the Government intends to tighten conditions by reducing its contributions to important work such as that undertaken by river improvement trusts, it will cause the trusts to lay off employees.

On 14th October I asked the Minister of State Development—
(a) When is it expected that construction of Lake Mokoan will be completed?

(b) Is the State Rivers and Water Supply Commission laying-off hands from the project; if so, for what reasons?

(c) What other storage projects are under construction?

(d) What projects are contemplated, and for what dates?

The answer provided by the Minister to the first question was—
(a) It is expected that works projected at this time will be completed by December, 1971.

On 5th October, 1966, I asked the then Minister of Agriculture a question about the ten-year programme for the construction of water storages, and the Minister indicated that Lake Mokoan would be completed in 1970. Now the completion date has been extended to December, 1971.

The intake channel from the Broken River to Lake Mokoan, together with the wall around the lake, has been completed. Water was diverted from the Broken River to Lake Mokoan during last winter and this played a big part in preventing a major flood in the City of Benalla. It is disturbing to learn that the outlet channel will not be completed until December, 1971, because if next year there is a repetition of the conditions which occurred during last winter, Benalla could be in grave danger of severe flooding. People are concerned that this programme has fallen in arrears and I hope that money will be made available to hasten the completion of this project. Some employees have been retrenched at these works. It is bad that twelve employees should be laid off because of lack of money and planning.

On 12th July, 1963, the Government announced a ten-year programme, and in the Age newspaper of that day it stated that £37.5 million would be earmarked for that
purpose. The programme was set out and the year by year contributions towards the construction of the water storages were given. Now it has been learned that one of the major construction programmes has been abandoned and that the cost has been reduced by $40 million. The ten-year programme envisaged the enlargement of the Buffalo dam, but the small Lake Mokoan storage then provided for cannot now be completed.

It is evident that the Government has not kept its promise to increase its grants to the State Rivers and Water Supply Commission to enable the completion of this programme. The commission published an excellent brochure blowing the Government's trumpet and waving Mr. Nicol's flag but the programme has broken down. It is hypocrisy for the Government to claim achievements in the field of water storages. It blamed the non-completion of the large Buffalo dam on the necessity to construct the Dartmouth dam. However, this was a transferable commitment because the Chowilla dam project in South Australia was cancelled and the funds were transferred to Dartmouth. That does not exonerate the Government for the failure to complete the Buffalo storage.

On 14th October, as reported at page 862 of Hansard, I asked the Minister of State Development for the Minister of Water Supply, inter alia—

What projects are contemplated, and for what dates?

The honorable gentleman replied—

Lake Howitt project on the Mitchell River—commencement awaiting provision of funds by the Commonwealth Government under the national water resources development programme

Is the Government deliberately misleading the people of Victoria? Does it believe that the members of the Country Party are asleep? Even if Government members are lulled into slumber, members of the Country Party are awake.

The Hon. H. M. Hamilton.—It has you fooled!

The Hon. A. K. Bradbury.—The Government has Mr. Hamilton fooled; but I shall not pursue that matter any further. I give the Government credit for submitting to the Commonwealth Government some years ago a proposal to build certain Victorian storages. The Federal Government announced that it would spend $50 million upon the construction of storages in the Commonwealth. The Victorian Government submitted five or six priorities. The Public Works Committee had carried out a survey of possible sites and submitted certain recommendations. The Federal Government was not satisfied with this report, and it took a further twelve months to conduct its own survey. Ultimately it announced that it would provide money for the construction of the King River dam.

On 19th April, 1969, the following report appeared in the Sun News-Pictorial:

The State Government will build dams on the King River in north-eastern Victoria and the Mitchell River in Gippsland. The Minister of Water Supply, Mr. Borthwick, said yesterday, that the Commonwealth would pay for the $4 million King River dam and the Victorian Government would pay for the $6 million dam on the Mitchell.

However, in answer to my question of 14th October, 1970, the Minister of State Development said that the Lake Howitt project on the Mitchell River was awaiting the provision of funds by the Commonwealth under the national water resources development programme.

The Hon. S. R. McDonald.—It is a flexible approach.

The Hon. A. K. Bradbury.—It is a dishonest approach. The storages on the Mitchell River and the King River were amongst the six projects submitted to the Federal Government for financial assistance. I am told that the Minister of Water Supply arrived at a compromise by which the Commonwealth Government agreed to finance the King River project and the State Government would finance
the Mitchell River dam. As I have already said, that assurance was contained in the report of the Sun News-Pictorial of 19th April last year.

The Hon. A. W. KNIGHT.—It was not announced in Parliament.

The Hon. A. K. BRADBURY.—That is so, but the Minister of Water Supply has never contradicted that undertaking. Apparently the Government is now awaiting Commonwealth funds to build the Mitchell River dam. Actions like this do not inspire confidence in Commonwealth-State financial relations. I do not want to prod the Commonwealth Government; I would rather shoot it down. In the circumstances, the Federal Government could take the view that Victoria is not honouring its undertakings.

Some years ago, the Public Works Committee inquired into the necessity for water storages in the Ovens River basin, and in 1962 it submitted a report which brought about the construction of the first stage of the Buffalo storage. A copy of that report can be obtained from the Papers Room. The recommendations of the committee were based on two premises, the first being protection of the wealthy and important tobacco growing industry, which at that time was in a position of grave uncertainty because of lack of water. As honorable members are aware, water is an important ingredient in the growing of good quality tobacco leaf. The second ground on which the committee recommended the construction of this storage was that the City of Wangaratta and its industries should be adequately supplied with water.

In 1966, the Public Works Committee brought down a report arising from its consideration of the King River aspect of the Water Resources of Victoria Inquiry. The object of the report was to provide security for the tobacco and hop growers and ample water for irrigation. The committee stated that the primary function of the storage was to regulate the flow of the King River, and to provide for stock and domestic and irrigation requirements within the King River basin.

The Hon. H. R. WARD.—Which year was that?

The Hon. A. K. BRADBURY.—I referred to the date a moment ago; it was 1966.

The Hon. H. R. WARD.—That was about twenty years after Harry Walpole suggested it. We have had a Country Party Government in the meantime.

The Hon. A. K. BRADBURY.—The suggestion was made long before that. I can make comparisons if Mr. Ward wants them. If I start making comparisons with what was carried out by Country Party coalition Governments and straight-out Country Party Governments, the honorable member's record will not look good. I shall not be sidetracked by Mr. Ward, because I have other matters to which I propose to refer.

Now that the King River storage is almost completed, honorable members have grave doubts concerning whether it will be used for the purpose for which it was built. In support of my assertion, I shall quote from the Wangaratta Chronicle of Friday, 7th August, 1970. It states—

King Valley's water supply depends on needs of industry. The Secretary of the Water Commission, Mr. G. W. Lewis, told the league in the letter that the city council of Wangaratta "has been consulted in this matter and its report is awaited".

The letter said: "The total area of authorized development which may be authorized below the new storage is dependent upon the extent to which provision must be made in the Ovens storage for future urban and industrial expansion in Wangaratta."

The case which was presented to the Commonwealth Government for a contribution through the water storage programme of the Commonwealth for the building of the King River was based upon the purpose for which the recommendations were made. The city of Wangaratta, in which I live, has been supplied with water from the storage that was built on the Buffalo River.
wonder what is behind the change of attitude on the part of the Government in saying that the industrial expansion in the city of Wangaratta must be taken care of, when the prime purpose of this storage was for stock, domestic and irrigation purposes. If this had been made known at the time when the State Government forwarded its programme of works to the Commonwealth, in view of the proposal to build the storage for two specific purposes, I wonder whether the Commonwealth would have been so willing to contribute towards the construction of the King River storage. The members of the King Valley Water Conservation League have worked hard on this issue. They have travelled to Canberra on a number of occasions and invited the then Minister for National Development, Mr. Fairbairn, to Wangaratta a couple of times. Mr. Anthony, who was a member of the committee which handled these funds on behalf of the Commonwealth, was asked to visit Wangaratta and inspect the site.

Several members of the King Valley Water Conservation League went to Canberra to submit a case to the Commonwealth, and now it appears they could be left out on a limb. What is the truth concerning the future usage of the King River storage? I ask the Minister in charge of the House to supply this information as some months have passed and the storage is almost completed. Surely, some benefit should be derived from the filling of this storage, and those people who are dependent upon it for their livelihood and their security should not be by-passed.

The Hon. H. R. WARD.—Is it intended to put in a pipe reticulation system to Wangaratta?

The Hon. A. K. BRADBURY.—No; that matter has been mentioned many times.

The Hon. H. R. WARD.—The water should be piped.

The Hon. A. K. BRADBURY.—The water could—not should—be piped from the King River, but owing to the tremendous cost involved—it is between 30 and 35 miles from Wangaratta—in providing a pipeline of sufficient size for the City of Wangaratta, this would not be practical. Wangaratta is dependent mainly on the Ovens River, backed up by the storage on the Buffalo River.

The Hon. H. R. WARD.—Farmers on either side of a reticulated pipeline through to Wangaratta would be helped.

The Hon. A. K. BRADBURY.—Mr. Ward is not correct. The size of the pipe would almost put it out of court, as the cost would be so high that irrigators would not be able to pay for it. The waterworks trust has performed a lot of work on the King River, which is a good conveyor. The whole of the evidence presented to the Public Works Committee related to licences for pumping water from the King River. The expense to the State of supplying water from the King River would be next to nothing as in the normal course water would be running down the river in the summer months.

Another matter I wish to bring to the notice of the House is mentioned in a letter I received from the Barnawartha Waterworks Trust, which is subsidized by the State Rivers and Water Supply Commission. Even though the trust levies the maximum rate of 17.5 cents in the dollar on net annual value, it is still unable to cover the expenses. When the Liberal Government came into power, it introduced a scheme whereby rate-payers did not have to pay more than 17.5 cents in the dollar net annual value for water supply. This scheme was implemented in 1956. I give full credit to the Government of the day which brought in this worthy scheme within the river improvement trust area. The scheme provided much relief to many people. However, at that time, a different valuation system operated. Quite recently,
following a revaluation in the Chiltern shire, which embraces the Barnawartha Waterworks Trust district, valuations have risen considerably.

To illustrate my point, I shall quote a case based on the old valuation of 1967. The net annual value on a property was $800 and the owner paid $140 in rates. Following the revaluation which took place recently, the valuation has risen from $800 to $2,168. This property owner now finds that he is paying $379.40 in water rates.

The Hon. H. R. Ward.—That is because of the increased valuation.

The Hon. A. K. Bradbury.—The valuation has increased because more emphasis is now placed on present-day market values than on productivity.

The Hon. H. R. Ward.—How many acres of land are involved?

The Hon. A. K. Bradbury.—Approximately two acres of land. The property owner to whom I refer, pays nearly 20 per cent of the total rates of the Barnawartha Waterworks Trust, although he uses less than two average houses in Barnawartha. Obviously, the matter has got out of hand, largely because of the revaluation that has taken place. I trust that the Government will further examine this matter. Perhaps some adjustment can be made, either by lifting the subsidy or reducing the maximum rate that any ratepayer must pay, so that these people may not be crippled by the high cost of water.

The Hon. H. M. Hamilton.—Do you contend that the total rates of the Barnawartha shire are only $1,700 a year?

The Hon. A. K. Bradbury.—I regret that I cannot answer Mr. Hamilton’s question, as I am quoting from a letter. However, Mr. Hamilton is at liberty to examine the letter which is addressed to me from the secretary of the Barnawartha Waterworks Trust. I have quoted the facts supplied by the secretary, who has not referred to the full revenue of the trust.

At the intersection of Salisbury Street and the Hume Highway at Benalla, there is a school crossing which is not provided with flashing lights. Some years ago it was inspected by the Traffic Commission and approved as a school crossing suitable for the installation of flashing lights, but I was informed that the commission was unable to allocate funds for this work. This is an extremely dangerous crossing, and I believe funds should be made available before a serious accident occurs there. The lives of young children who use the crossing on their way to and from school must be protected. I ask the Government to consider this proposal, and hope that the installation of traffic lights will commence at an early date.

In connection with decentralized industries, I asked the Minister of State Development a series of questions on notice on 13th October. The replies furnished by the Minister were so long that he sought leave of the House to have them incorporated in Hansard without reading them. My questions were—

(a) How many industries has the Division of State Development been responsible for decentralizing in each of the past five years, stating in each case—(i) the industry and the country centres in which they have been established; (ii) the number of employees in each industry at the time of establishing; and (iii) what financial and other assistance was given?

(b) What is the total financial assistance given and in what form to establish industry in country centres during the past five years?

(c) What industries has the division been responsible for decentralizing in the five areas chosen for accelerated development since these areas were so selected?

I believe the Minister’s answers should be thrown into the waste paper basket. They could not be more misleading than they are, and, regrettably, I believe they could
almost be described as dishonest. It is clear that the Division of State Development has played no part in assisting the decentralization of many of the firms listed in the Minister’s replies. The division has simply classified those firms as decentralized industries under the Commercial Goods Vehicles (Decentralized Industries) Act. It has done nothing else. Honorable members are entitled to receive something better than misleading answers to questions that they ask.

In his answer the Minister stated that in the five financial years up to and including 1969-70, a paltry amount of $674,324.09 was granted to assist industries to decentralize, and this included the sum of $636,000, which was loaned by the Rural Finance and Settlement Commission for the establishment of industry in non-metropolitan areas. The Minister said that the remainder represented assistance given to encourage the establishment of industry, including the transport of plant to the area from Melbourne, allowances towards the cost of removal of furniture of key employees attracted from Melbourne, and subsidies towards the rail costs involved in the movement of raw materials and finished goods between the location and the metropolitan area.

The Leader of the Government in the Legislative Council of New South Wales and Minister of Decentralization and Development in that State, the Hon. J. B. M. Fuller, who is a member of the Country Party, recently issued a very good report on the subject of decentralization. In the period of five years to which I have referred, the New South Wales Government granted $16.5 million to aid decentralization compared with the sum of approximately $674,000 made available by the Victorian Government. Exclusive of the cities of Newcastle, Wollongong and Sydney, the New South Wales Government, in a practical and responsible manner, has played a big part in attracting 430 industries to country areas. That is the result of having a Country Party Minister who knows the needs of country areas and who approaches the task in a positive way.

The Country Party has always adopted a positive approach to decentralization. This was our approach at the time of the last elections, although the people of this State did not support the party. We think there should be a substantial decentralization fund which will encourage industries to move to the country. Although it is not true in every case, most industries which have become established in the country have found that profitability and output per man hour have increased. As I have said, industries need that incentive to persuade them to move to the country, but this can be provided only by a responsible Government and not by one which is afraid to take positive steps.

At present a number of brick manufacturers in the country are in a serious financial position, because they are being undercut by metropolitan monopolists who deliver bricks in country centres and charge only $1 for transporting them a distance of 146 miles. New South Wales has made much more progress towards the decentralization of industries than has the Government of Victoria. I believe the efforts of the Government should be much more genuine and determined.

The Hon. S. R. McDonald.—You are an optimist.

The Hon. A. K. Bradbury.—Yes, but I hope that some day my optimism will be justified. In New South Wales the Minister has underwritten contracts tendered for by country industries in competition with metropolitan industries provided that the country price does not exceed the metropolitan price by more than 5 per cent. In Victoria, when calling for tenders, departments specify the type of brick that must be supplied and where it must come from. If this attitude is adopted, what hope is there of country industries surviving?
Departments should not be permitted to specify the particular types of bricks which are to be used in buildings in country areas. Bricks manufactured in the country have been tested by the Public Works Department for quality and strength and have received approval. It does not help country brick manufacturers if bricks are sent from the city for use in the construction of Government buildings in country centres.

The Minister of Public Works will be aware that a new assembly hall at Wangaratta Technical School has just been completed. Bricks manufactured in Ballarat and Wangaratta were inspected by officers of his department who reported that they were suitable for use in this work. Sample blocks were made at both brick kilns and everyone was convinced that they were suitable. If honorable members were to inspect the assembly hall at the Wangaratta Technical School I am sure they would agree that it is a credit to the brick manufacturers. A fair deal should be given to those people who are trying to make a success of an industry in the country.

I am disturbed at the attitude adopted recently by the Housing Commission. I pay a tribute to the former Minister of Housing, Mr. Thompson, who did a great deal to assist in the decentralization of industries and to help industries already established in country areas. In Wangaratta, Bruck Mills (Australia) Limited employs 1,000 people and the company is continually expanding its works. Some time ago I was asked to approach the Housing Commission with a view to obtaining an allotment to the company of at least ten houses a year for the next ten years. In the past the company has received excellent co-operation from the Housing Commission and a number of houses has been allotted to it. I have a written assurance from the company that it will undertake the responsibility for the payment of the rent and will ensure that no rebates are applied for. This would relieve the commission of a responsibility. The company requires the houses to enable it to obtain a number of expert weavers from interstate or from other districts in Victoria. I have the greatest admiration for Mr. Gaskin, the chairman of the Housing Commission, but I received a letter from him on 21st October in which he said that the commission was unable to make an allotment of houses to Bruck Mills (Australia) Limited. However, he said that when an application was submitted the commission would consider it. We must be realistic about decentralization; people will not go to live and work in the country unless they are provided with accommodation. In the past a man who obtained a job in the country had to obtain board for himself until he was able to obtain a house for his family. I challenge anyone to go to Wangaratta and find one house that is available for letting. A similar position has obtained for the past two years.

When Mr. Thompson was Minister of Housing he visited Bruck Mills at Wangaratta when the company was seeking an additional 60 employees. Mr. Thompson was good enough to send circulars to all persons on the Housing Commission's waiting list in Victoria assuring them of a job in Wangaratta and a house within three to six months of their arrival if they were prepared to transfer their applications for houses to the Wangaratta list. The company was embarrassed by the number of people who were willing to move from Melbourne to Wangaratta. The company is again having difficulty in maintaining its progress and unless houses are made available by the commission it will be unable to obtain the right type of employee. The same position applies to the Wangaratta Woollen Mills Ltd., at which 700 people are employed. This company has asked for an allotment of five houses a year for five years and its application has been refused. Surely these companies are not asking for too much. The Housing Commission
provides dwellings for employees of Government instrumentalities and it should be prepared to assist industries which are established in country areas.

In his Speech, His Excellency said that the Government was doing everything possible to assist in the development of Victoria, so I hope the Ministers in this House will refer the matters I have raised to their Cabinet colleagues with a view to bringing about worthwhile development in Victoria.

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

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

PUBLIC ACCOUNT BILL.
This Bill was received from the Assembly and, on the motion of the Hon. R. J. HAMER (Minister for Local Government), was read a first time.

SEWERAGE DISTRICTS (AMENDMENT) BILL.
This Bill was received from the Assembly and, on the motion of the Hon. G. L. Chandler (Minister of Agriculture), for the Hon. V. O. DICKIE (Minister of State Development), was read a first time.

LAND (AMENDMENT) BILL.
This Bill was received from the Assembly and, on the motion of the Hon. G. L. CHANDLER (Minister of Agriculture), was read a first time.

PUBLIC ACCOUNT BILL.
The Hon. R. J. HAMER (Minister for Local Government).—I move—That this Bill be now read a second time.

It implements the layout and construction of the Budget and, as this House does not debate the Budget, I shall have to assume that honorable members have acquired by other means a background knowledge of the Budget. The Bill implements the proposals set out in the Budget for the amalgamation of the Consolidated Revenue and the Loan Fund. Because the Budget operates for a financial year it is necessary for this Bill to have retrospective effect from 1st July 1970.

The Hon. J. M. TRIFOVICH.—The Budget has been based on this Bill.

The Hon. R. J. HAMER.—The Budget has been set out in a certain way and this Bill gives legislative effect to that. Clause 2 of the Bill contains two machinery provisions to ensure that things done under existing legislation will not be affected by the passing of this measure. This is a normal saving provision.

There are many references in existing Acts of Parliament and elsewhere to Consolidated Revenue, and to the Loan Fund. After the passing of this Act, it will be necessary for those references to be changed to the Consolidated Fund in all instances except one, where the change will be to a reference to the new Works and Services Account. Clause 3 provides for the necessary change in the references.

Paragraph (a) of clause 4 repeals a redundant heading, and paragraph (b) repeals sections 5, 6, and 7 of the Public Account Act. These sections will become inoperative with the enactment of paragraph (c) which constitutes the Consolidated Fund. The moneys to go into the Consolidated Fund will be the moneys which presently go into Consolidated Revenue together with those which go into the Loan Fund. It is not necessary to speak of payments out of the Consolidated Fund, because, by virtue of the provisions of paragraph (a) of clause 3, payments can be made out of the Consolidated Fund only in accordance with appropriations by Parliament.

Paragraph (c) also goes on to establish the Works and Services Account. Here again, the Bill is in line with the way in which the Budget was in fact produced and
presented in another place. The amount to go into the Works and Services Account will be determined by the Treasurer, and sub-section (3) of the proposed new section 5 of the Public Account Act limits this amount to the difference between the receipts of the Consolidated Fund and the payments out of that fund pursuant to appropriations by Parliament. Proposed sub-section (4) goes on to provide that no payments can be made out of the Works and Services Account except as authorized by an appropriation of Parliament.

Paragraph (d) of clause 4 is a consequential amendment to the Public Account Act. Paragraph (e) covers the consequential repeal of specified sections of the Public Account Act. Paragraph (f) inserts two sections into the Public Account Act. The first, section 20, is new, and merely formalizes what has been the practice for more than 100 years. The second proposed new section, section 21, is a modified re-enactment of the existing section 21 of the Public Account Act. The principle is the same, but the section is adapted to fit the concept of the Consolidated Fund.

Paragraph (g) inserts two new sections. Proposed section 22A simply re-enacts what is now subsection (3) of section 5 of the Public Account Act. The remainder of that section is repealed. As a matter of drafting technique, the whole of section 5 is repealed and subsection (3) is re-enacted in the new section 22A. The new section 22B is a re-enactment of the present section 9 of the Public Account Act, with the added provision to authorize the use of the short term money market as an avenue for short term investment. Clause 5 merely picks up necessary consequential amendments to the Audit Act.

I might mention that while naturally the Government accepts responsibility for the provisions of the Bill, they have been the subject of discussion between the Treasury and the Auditor-General. Although it is a somewhat complicated measure, I think Parliament will probably agree that it brings the Public Account Act into line with the Budget, and overall it will result in a distinct improvement in the presentation of the public accounts.

On the motion of the Hon. J. M. TRIPOVICH (Doutta Galla Province), the debate was adjourned.

It was ordered that the debate be adjourned until Wednesday, November 4.

LAND (AMENDMENT) BILL.

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

That this Bill be now read a second time. It is a short Bill to make several amendments to the Land Act 1958, No. 6284, and consequential amendments to the Mines Act 1958, No. 6320. The first amendment of the Land Act is proposed in clause 2, which substitutes a new section for section 81 of the principal Act. The existing provision authorizes the issue of Crown leases, licences and grants of land with a condition protecting mining.

Before explaining the proposed amendment and the reason for it, it is necessary to give something of the background to the existing legislation, which will be more familiar to the honorable members representing provinces containing the old goldfields than to those members whose provinces do not. Briefly, the condition referred to provides that neither the lessee, licensee or grantee, as the case may be, of auriferous land, nor anyone claiming through or under him, shall be entitled to any compensation in respect of damage to be done to such land or any improvements thereon by mining therein or thereon within the meaning of the Mines Act. The Land Act provides that such owner shall place on the corner posts a distinguishing notice
stating that the land is auriferous with a penalty for breach of this requirement.

The legislation originated in section 89 of the Land Act 1898, and it was passed in order to release some of the hundreds of thousands of acres of auriferous lands for selection and, at the same time, protect the interests of the mining community. “Auriferous” means yielding gold, but over the years the application of section 81 has been extended to lands bearing minerals other than gold. This was done by varying the definition of “mineral” in the Mines Act. It was varied to such an extent that ultimately extractive substances such as clay, sand, gravel and stone were included.

A report of the State Development Committee in 1964 dealt with problems which had arisen with extractive substances, as a result of which the Extractive Industries Act 1966 was passed. The effect of that Act was to remove the extractive substances from the definition in the Mines Act and thus from the operation of section 81 of the Land Act. However, the definition of “mineral” in the Mines Act still applies to a number of substances other than gold. Although the provision for a special mining condition is in the Land Act, it has been inserted in documents only at the request of the Mines Department, and the Department of Crown Lands and Survey has never taken an active part in operating or policing the actual condition.

It is estimated that there are about 20,000 Crown grants and about 200 purchase leases subject to a mining condition. Many of the Crown grants will have been converted or subdivided into certificates of title which would also be subject to the same condition.

The Mines Department has intimated that the reasons which, in 1898, prompted the introduction of a special mining condition no longer obtain, and that any person or company engaged in the mining industry should be in a position to pay full compensation to a landowner for damage to his land and improvements. In view of the upsurge of mining exploration and development generally in the State, the Government considers that it is only fair that all owners of property should be put on the same footing so far as compensation is concerned.

The original legislation provided for the issue of leases and licences of agricultural or grazing lands subject to a mining condition with power to carry the condition into a resultant Crown grant in cases where mining interests were to be protected. However, it had been the practice in the case of some auriferous lands to insert a mining condition similar to section 81 direct into Crown grants and, in 1956, an amendment extended the power of applying section 81 to any licence, lease or Crown grant issued pursuant to the Land Act. There were times when a special gold-mining condition was inserted in leases and grants. This condition was really an extension of section 81 to holders of miner’s rights.

Sub-clause (1) of clause 2 substitutes a new section 81 in the Land Act which has the effect of making null and void any condition permitting mining without payment of compensation inserted in any Crown grant, lease or licence. Two aspects of the amendment which have been considered should be mentioned. One is the monetary consideration which might be claimed by the Crown for removing what is really an encumbrance on a Crown grant, title or other document. The alienation of the auriferous lands of the State has been mainly by licence or selection and no allowance was made in the price of the land where sold subject to section 81. In the comparatively few cases where land was sold by the Crown other than by licence or selection, there is no record of any allowance having been made. In the circumstances, the Government considers that the charging of a monetary consideration for the removal of the encumbrance cannot be justified.
The other aspect is the application of the amendment to mining conditions in Crown grants, titles and leases. It is the opinion of the Registrar of Titles that the conditions would simply become redundant and that there would be no necessity to update all Crown grants, leases and titles affected by the amendment. There is ample power in the Transfer of Land Act for him to use his discretion should an endorsement be sought or a new title be issued in any particular case.

New section 81 of the Land Act will render three provisions of the Mines Act redundant, and the consequential amendments of that Act are made by sub-clause (2) of clause 2 of the Bill. The second and third amendments of the principal Act are contained in clause 3 and refer to sections 135 and 346. Section 135 is in a division of the Act dealing with leases for purposes other than grazing or agriculture. Three new sub-sections (4), (4A), and (4B) are substituted for the existing sub-section (4), which has been in the Land Act since 1898. That sub-section provides for the renewals of existing leases and the issue of new leases. For more than 70 years the expression "new leases" was understood to mean new leases in place of existing leases and the Act has been administered accordingly. Such new leases are negotiated where lessees are prepared to incur substantial expenditure on re-development or new capital works. The amendment is sought on the advice of the Crown Solicitor to overcome legal doubt which has arisen and will meet the requirements of the Titles Office. This requires a consequential amendment of section 134, which is contained in paragraph (b) of clause 3.

Section 346 provides for the alienation of parcels of Crown land by inclusion in an existing lease or licence or in a Crown grant about to issue. The amendment is a machinery measure to provide for the cancellation of an existing lease where another lease is to be substituted in the operation of the provision. It also is sought on the advice of the Crown Solicitor.

The fourth and last amendment of the Land Act is contained in clause 4 and relates to the development of reserves for aerodromes. In 1921, section 14 of the Land Act was amended to provide for the reservation of Crown land for sites for aerodromes or emergency landing grounds in connection with air navigation under the control of the Government of Victoria or of the Commonwealth of Australia. A number of reservations for aerodromes have been made under section 14, but in most cases the Crown lands reserved are used only as adjuncts to aerodromes on freehold land. There are only three cases where the whole or greater part of the aerodromes are on reserved Crown lands. These are at Ballarat, Bendigo and Marlo.

The difficulties encountered in developing a reserve for an aerodrome have been brought under notice by the committee of management of the Bendigo aerodrome which is situated at Wellsford on the outskirts of that city. An area of about 312 acres in the Parish of Sandhurst was reserved as a site for aerodrome purposes last year and placed under the control of a committee of management representing the City of Bendigo, the Shires of Strathfieldsaye, Marong and Huntly and the Borough of Eaglehawk.

The councils represented on the committee of management will bear the construction costs of the field to the stage of a licensed aerodrome when the committee will be eligible to apply to the Commonwealth for a grant under the local ownership plan towards the cost of maintenance. The committee will not be in a position to erect the necessary buildings, but states that the local flying club is interested in erecting hangars and the committee anticipates that other persons and firms will wish to establish flying schools, workshops and facilities for the general public.

The Hon. G. L. Chandler.
A committee of management of a Crown reserve has no power to lease any part of the reserve and it has been decided to seek an amendment of the Land Act to enable this to be done where land is reserved as a site for an aerodrome. A similar amendment was made in 1963 to allow trustees and committees of management of Crown reserves used for horse-racing to grant leases for purposes connected therewith. I commend the Bill to the House.

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

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

SEWERAGE DISTRICTS (AMENDMENT) BILL.

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

That this Bill be now read a second time.

Its purpose is to make a number of amendments to the Sewerage Districts Act 1958. With the exception of clause 9, the proposed amendments are of a machinery nature. Clauses 2 and 3 provide for uniformity in existing provisions while the remaining clauses have been either requested by the Provincial Sewerage Authorities Association or have the concurrence of that body. Clause 9 is of considerable importance to developing industries in country areas and will assist authorities in the control and treatment of industrial wastes.

Clauses 2 and 3 amend the provisions of two sections to ensure uniformity and clarity in the certification of financial statements. Subsection (1) of section 74 at present provides that all accounts intended by any sewerage authority to be charged to any loan from the Loan Fund shall be examined and certified by the State Rivers and Water Supply Commission. On the other hand, subsection (1) of section 80 provides that applications for loans and for consent to borrowing which are submitted to the Governor in Council shall be certified by a certificated engineer appointed by the Minister. The proposed amendments to these sections will bring the provisions into line by providing in both cases for certification to be by an engineer appointed by the Minister. The word “certificated” has been deleted from the provisions as this word is not defined in the Act and is not considered necessary.

Clause 4 will enable the provisions of sections 82A, 82B and 82C of the Act to be made retrospective. These sections provide for the capitalization of interest and redemption on moneys borrowed for works which are declared by the Minister to be “major construction works”. They were inserted in the Act to relieve authorities from obligations to meet large annual payments in respect of substantial works which would not become revenue producing for some years.

It was originally believed that the legislation as drawn would permit the Minister to make a declaration to take effect from the commencement of the construction of the works in question. However, doubt has now been raised whether the declaration of works as major construction works can be considered retrospectively. This has raised the possibility of financial difficulties for authorities with partly completed construction programmes involving substantial loan funds and, in fact, one authority is already faced with the need to levy a special rate to cover payments which it was intended to capitalize.

The amendment proposed will remove this anomaly by providing that, in declaring any works to be major construction works for the purposes of the section, the Minister can fix a date, not earlier than the commencement of the works in
question, as the date from which a sewerage authority may capitalize interest and redemption charges.

Clause 5 proposes an amendment to section 84 of the Act, which is necessitated by the recent amendment to the Local Government Act dealing with exemption from rating. The former section 251 of the Local Government Act defined which land would not be rateable property under that Act. Section 84 of the Sewerage Districts Act provides that land in a sewerage district which is rateable property within the meaning of the Local Government Act shall be rateable property for the purposes of rates under the Sewerage Districts Act, but specifically excludes three classes of land which were formerly considered as not rateable under section 251 of the Local Government Act. Section 251 has now been amended and it is considered that the provisions of the new section 251 should be fully applied to the sewerage districts. Authorities could then be guided by municipalities as to what land is not rateable within the meaning of that section.

The resulting uniformity will be in the interests of all parties involved in rating procedures. This will be particularly so in the case of sewerage authorities which are often closely linked with municipal councils. Authorities will not be faced with the problem of deciding separately which lands are to be exempted from rates and consequently there should not be any variation in rating policies. Similar amendments to the one provided in this clause will be sought for other Acts, including the Water Act.

Clause 6 will enable sewerage authorities, with the approval of the Minister, to fix a minimum special rate for unsewered properties. The Act already provides a minimum rate of $30 for sewered properties on which there is a building and $20 for sewered properties on which there is no building, in respect of the normal sewerage rate made under the provisions of sub-section (1) of section 87. However, there is at present no provision for a minimum rate when the authority makes a special rate under the provisions of sub-section (2) of section 87.

The application of a small special rate based on net annual value for unsewered properties during the construction of sewerage works for a new area makes the annual amount paid in respect of high and low value properties, such as houses and vacant land, excessively disproportionate, although eventually both will receive similar benefits from the works of the authority. This provision will enable authorities to levy the special rate on a more equitable basis.

Clause 7 proposes an amendment that is consequential upon the recent Local Government (Rating Exemptions) Act referred to in clause 5. At present section 88 of the Sewerage Districts Act provides that sewerage authorities may not rate certain classes of land, including some lands referred to in the former section 251 of the Local Government Act, but enables authorities to obtain payment for services provided, by agreement with the persons or bodies responsible for the property.

The section further provides that, in the event of failure to reach an agreement, the sum payable shall be fixed by the Governor in Council. The amendment now proposed will redefine lands which are not rateable as those which are not rateable under the Local Government Act. However, the provisions for payment by agreement for services provided by an authority to non-rateable land is retained.

Clause 8 is a machinery amendment intended to clarify the provisions for the payment of rates by instalments. The present wording of sub-section (2) of section 90A does
not make it clear at which date the notice of intention to pay rates by instalments must be given. The amendment now proposed will correct this situation by bringing the wording into line with similar provisions in the Water Act.

Clause 9 provides for sewerage authorities to borrow moneys for the purpose of carrying out construction works for the pretreatment and conveyance of industrial and trade wastes to their sewerage systems. Under the Act at present, authorities may borrow only for the construction of works for the conveyance, treatment and disposal of domestic wastes or for normal house connection purposes.

Industries in or close to country towns, particularly milk factories, are now asking authorities to accept and treat their wastes. As such industries are often separated from the rest of the town, the construction of a sewer and associated works is necessary for conveyance to the authority’s treatment plant. Under the present provisions of the Act, industries would have to meet the full cost of such works in advance, thus placing a considerable financial strain on the industry concerned. However, it has been the experience of authorities that while an industry may have difficulty in providing the full capital cost of such works, it is quite willing to make appropriate annual payment to cover not only the service it receives, but also the full interest and redemption charges on the capital cost of the works, as provided in the Act for house connections, alterations and enlargement of works requested by a property owner. These measures will not only be in the interests of the sewerage authorities and the industries directly concerned, but will have wider implications for the community as a whole by ensuring the proper disposal of pollutants.

The final provision, clause 10, sets out the procedure for the sealing of documents by sewerage authorities. At present, authorities are uncertain of the method they should adopt to seal documents as the Act is not specific in this regard. The minor amendment suggested puts the matter right. Although the new procedure requires the presence of the secretary of the authority, it will be noted that sub-section (4) of section 37 of the Act provides for the appointment, when necessary, of an officer to act in his place. I commend the Bill to the House.

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

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

**METHODIST CHURCH (VICTORIA) PROPERTY TRUST BILL.**

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

That this Bill be now read a second time.

Its purpose is to establish a Methodist Church Property Trust. It has been approved by the Victorian conference of the Methodist Church and by the general conference of the Methodist Church of Australasia. A similar Act setting up a property trust in New South Wales was passed by the New South Wales Parliament in 1969.

The Methodist Church Property Trust will replace various trustees who personally hold property under the trust of the Methodist model deed. There is provision for future gifts or bequests of property to vest in the trust. The Bill provides that the trust will manage and deal with trust property in accordance with the Act and regulations made by the Victorian conference of the church and subject to the control and directions of that conference.
The trust consists of various officers of the Victorian conference and five other persons appointed by the conference. Sub-section (3) of section 5 appoints five persons to be the appointed members of the trust until the first annual conference of the church after the commencement of the Act.

The Bill will simplify the management of and dealings with church property, not only for the church but for anyone dealing with the church in relation to property. Provision is also made for land vested in the trust to be made available for use in schemes of co-operation between the Methodist Church and churches of other denominations.

Clause 2 repeals various Acts dealing with church property which are spent or the provisions of which are replaced by provisions of this Bill. Under clause 4 the Methodist Church (Victoria) Property Trust is set up as a body corporate with all the usual attributes of such a body.

Clauses 5 to 9 contain provisions for the appointment of members, the filling of vacancies, retirements, quorums at meetings of the trust and other similar matters. Clause 10 appoints the authorized representative as secretary of the trust and provides that any documents relating to property vested in the trust shall be delivered to him.

Clauses 11 to 13 deal with the execution of documents by or on behalf of the trust and provide for the appointment of agents. Clauses 14 to 18 provide for the vesting of property in the trust and afford protection to interests arising under special trusts and to third parties such as mortgagees or lessees. Clause 16 excepts certain college lands from the provisions of the Act.

Clauses 19 and 20 specify in more detail powers of the trust in relation to dealings with the trust property, and, in particular, provide that such property may be mortgaged, encumbered, alienated, exchanged or otherwise dealt with as if the trust were the beneficial owner thereof. Clause 21 empowers the conference of the church to make regulations for the purposes of the Act. Clauses 22 to 28 are of a machinery nature and require no special comment.

The provisions of clauses 29 and 30 will enable the Methodist Church to co-operate in relation to the use of property with churches and congregations of other denominations.

The measure is self-explanatory. For my part, having been a trustee of a church for some time, I believe this is a step in the right direction for the Methodist Church and will bring it into line with other churches which have taken similar action. I commend the Bill to the House.

On the motion of the Hon. D. G. ELLIOT (Melbourne Province), the debate was adjourned.

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

ADJOURNMENT.

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

That the Council, at its rising, adjourn until Tuesday, November 10.

The motion was agreed to.

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

That the House do now adjourn.

I take the opportunity of reminding honorable members that, as a result of the new sessional orders which were passed today, the bells will ring at approximately 4.15 p.m. on Tuesday, November 10.

The motion was agreed to.

The House adjourned at 10.32 p.m., until Tuesday, November 10.
Legislative Assembly.

Wednesday, October 28, 1970.

The Speaker (the Hon. Vernon Christie) took the chair at 11.33 a.m., and read the prayer.

QUESTIONS ON NOTICE.

The following answers to questions on notice were circulated:—

DECENTRALIZATION.

GOVERNMENT ASSISTANCE.

Mr. W. J. LEWIS (Portland) asked the Premier—

1. What are the qualifications for an industry in a non-metropolitan area to obtain assistance from the Government as a decentralized industry?

2. What assistance is available to such an industry?

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

1 and 2. Apart from the provisions in the Local Government Act permitting rating agreements for industry and the provision of land and buildings for any business undertaking at places outside the Melbourne and metropolitan area, as described in the Town and Country Planning Act 1961, concessions are available to manufacturers and processors operating outside a radius of 50 miles from Melbourne, or within 5 miles of the post offices at—

Bacchus Marsh.
Broadford.
Gisborne.
Kilmore.
Kyneton.
Woodend.

The assistance available is as follows:—

Loans.
Transport of plant and machinery.
Transport of employees from outlying areas.
Transfer of furniture and effects of employees.
Rail freight subsidies.
Subsidies for access roads in cases where normal avenues of financing are unavailable.
Provision of Crown land at reasonable prices.
Provision of housing for key personnel.
Access to the roads (in their own vehicles).

A copy of the detailed concession sheet has been forwarded to the honorable member for his information.

MELBOURNE AND METROPOLITAN BOARD OF WORKS.

CITY RING ROAD: EASTERN SECTION.

Mr. CLAREY (Melbourne) asked the Premier—

Whether, in the light of his reply to a question without notice asked in this House on 22nd October, 1970, concerning the eastern section of the proposed city ring road, he will issue a statement as soon as possible as to whether the project will be abandoned; if not, what route will be followed, and when construction is likely to commence?

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

The whole question is under consideration at present, and a statement will be made at the appropriate time.

MUNICIPALITIES.

FINANCIAL ASSISTANCE: SUBSIDIES.

Mr. MUTTON (Coburg) asked the Treasurer—

1. What total Government financial assistance was given to municipalities during 1969-70?

2. What municipalities received financial assistance during 1969-70 and what was the amount in each case?

3. What was the ratio of distribution between metropolitan and rural municipalities during 1969-70?

4. From what funds the finance was made available?

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

The information sought by the honorable member involves an analysis of the records of a number of departments.

I am arranging for the relevant information to be collated, but it will be some time before this is completed and I would suggest that I should forward the material direct to the honorable member as soon as it is available.

STATE SAVINGS BANK.

PERSONAL LOANS.

Mr. CLAREY (Melbourne) asked the Treasurer—

What are the terms and conditions (including interest rates) of personal loans, with or without security, made available by the State Savings Bank of Victoria?
Sir HENRY BOLTE (Premier and Treasurer).—The answer is—

The normal terms and conditions on which personal loans are granted by the State Savings Bank of Victoria are as follows:

Unsecured Loans.

Maximum amount—$720.
Interest rate—10 per cent per annum effective.
Repayments—By monthly instalments over one year to three years.

Secured Loans.

Maximum amount—$3,000.
Interest rate—10 per cent per annum effective.
Repayments—By monthly instalments over one year to five years;
or
by monthly instalments commencing twelve months after settlement over one year to four years;
or
in one amount within twelve months of settlement.

In special cases applications for secured loans are considered for amounts in excess of $3,000.

TRAFFIC COMMISSION.

SCHOOL CROSSINGS.

Mr. KIRKWOOD (Preston) asked the Chief Secretary—
Whether, in view of the success achieved in the use of non-skid paint, approval will be given for the provision of zig-zag signs to be painted on roadways on both sides of school crossings?

Sir ARTHUR RYLAH (Chief Secretary).—The answer is—
The present system of signs and road markings is considered adequate to warn drivers that they are approaching a school crossing. It is not proposed to approve the painting of zig-zag signs on the roadway.

MOTOR CAR (TRAFFIC OFFENDERS) ACT.

POINTS DEMERIT SYSTEM.

Mr. WILKES (Northcote) asked the Chief Secretary—

Whether any motor vehicle drivers have had their driving licences suspended under the points demerit system provided under the Motor Car (Traffic Offenders) Act 1969; if so, how many?

Sir ARTHUR RYLAH (Chief Secretary).—The answer is, “No.”

CRIMINAL ASSAULTS.

COMPENSATION FOR VICTIMS.

Mr. BROAD (Swan Hill) asked the Chief Secretary—

Whether any progress has been made towards preparing legislation to provide compensation for victims of criminal assault?

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

Existing legislation provides for compensation to persons suffering personal injury or damage to property occasioned in going to the assistance of a member of the Police Force.

I have been informed by my colleague, the Attorney-General, that on a number of occasions consideration has been given to the advisability of a general compensation scheme. However, at this stage no legislation is being prepared on this subject.

POLICE DEPARTMENT.

POLICEMEN STATIONED IN PROVINCIAL CITIES.

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

Whether a request was made in recent weeks for a list of all policemen who have been stationed in provincial cities for a continuous period of eight years or more; if so—(a) by whom the request was made and for what reason; (b) what is the significance of the eight-year qualification; (c) how many cities and/or police districts are involved; and (d) how many police in the Geelong area are involved and what are their names and ranks?

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

Yes.

(a) and (b). This information was sought by Colonel Sir Eric St. Johnston in connection with his inquiries.

(c) One police district.

(d) Thirty-four.

Headquarters:
Inspector O’Halloran.

First constable Love.

Bannockburn:
First constable Tanner.

Belmont:
First constable Coughlan.

Geelong M.T.S.:
First constable Jenkin.
First constable Crompton.

Geelong:
First constable Caspall.
First constable Collinson.
First constable Cook.
First constable Crook.
Questions on [28 October, 1970.] Notice. 1383

First constable Crowe.
First constable Dowsett.
First constable Duke.
First constable Harris.
First constable Haygarth.
First constable Lynch, 13619.
First constable Lynch, 12123.
First constable Marchment.
First constable McTighe.
First constable Naughtin.
First constable Pfeifer.
First constable Richmond.
First constable Robb.
First constable Sellin.
First constable Skelton.
First constable Smith.
Constable Baker.

Geelong North:
Senior constable Ward.

Geelong West:
Senior constable Banks.

Inverleigh:
First constable Crowe.

Meredith:
First constable Powles.

Norlane:
Sergeant Walsh.

Queenscliff:
Senior constable Hume.
First constable Porter.

EDUCATION DEPARTMENT.
SECONDARY SCHOOLS IN BRUNSWICK EAST ELECTORATE: FEES.

Mr. BORNSTEIN (Brunswick East) asked the Minister of Education—
1. What amount was charged by Fitzroy High School, Princes Hill High School, Brunswick Girls High School, Brunswick High School and Moreland High School, respectively, for—(a) composite fees; and (b) subject fees, for the 1970 school year?
2. What amount was collected at each school from such fees?
3. What was the percentage of students in each school for whom fees were paid?

Mr. THOMPSON (Minister of Education).—The answers are—

Fitzroy High School:
1. (a) Composite fee $9.00.
   (b) Subject fees vary from $5.00—$16.00, depending upon the form and subjects taken. It works out to an average of $8.00 per pupil.
2. From composite fees—$3,780.
3. 55 per cent
Princes Hill High School:
1. (a) Composite fee $12.00.
   (b) Subject fees vary as follows:—

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<thead>
<tr>
<th>Forms</th>
<th>V.</th>
<th>VI.</th>
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<tbody>
<tr>
<td>Boys</td>
<td>9.25</td>
<td>8.75</td>
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<tr>
<td>Girls</td>
<td>7.85</td>
<td>7.25</td>
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2. From composite fees—$7,850.
3. 70 per cent

Brunswick Girls High School:
1. (a) Composite fee $8.00.
   (b) Subject fees vary as follows:—

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<tr>
<th>Forms</th>
<th>I.</th>
<th>II.</th>
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<td>Boys</td>
<td>6.00</td>
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<td>Girls</td>
<td>6.00</td>
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2. $4,380 (overall).
3. 75 per cent

Brunswick High School:
1. (a) Composite fee $11.00.
   (b) Subject fees vary as follows:—

<table>
<thead>
<tr>
<th>Forms</th>
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<th>VI.</th>
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<tbody>
<tr>
<td>Boys</td>
<td>8.50</td>
<td>9.50</td>
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<tr>
<td>Girls</td>
<td>6.00</td>
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2. From composite fees—$6,203.50.
3. 70 per cent (overall).

Moreland High School:
1. (a) Composite fee $5.00 and $2.00 for other children in the same family.
   (b) Art fee $3.00.
   Subject fee for Forms I.-IV. is $12.00.
   Subject fee for Forms V., VI. is $4.00.
2. From composite fees—$3,530.
   From art fees—$2,800.
   From subject fees—$8,829.
3. 87 per cent (overall).

MORELAND PRIMARY SCHOOL.

Mr. BORNSTEIN (Brunswick East) asked the Minister of Education—
If he will lay on the table of the Library file, including plans and specifications, relating to the rebuilding of Moreland Primary School?

Mr. THOMPSON (Minister of Education).—The answer is, "Yes".
ST. ALBANS EAST PRIMARY SCHOOL.

Mr. GINIFER (Deer Park) asked the Minister of Education—

1. How many pupils and teachers, respectively, attended the St. Albans East Primary School in 1969, how many now attend the school and how many are expected to attend in 1971?

2. What measures are proposed to provide adequate and permanent class-room accommodation at the school for next year?

3. What maximum number of pupils it is intended to teach at the school?

4. How many permanent class-rooms and portable class-room respectively, are at the school?

Mr. THOMPSON (Minister of Education).—The answers are—

1. Pupils. Teachers.
   1969 747 22
   1970 771 24
   1971 (Est.) 800 24—According to schedule

2. No additional permanent accommodation is planned for 1971.

3. No precise number can be given. This will depend on development in the area.

4. Twenty-four permanent class-rooms and library. No portable class-rooms.

HOUSING COMMISSION. CHURCHILL ESTATE.

Mr. AMOS (Morwell) asked the Minister of Housing—

How many purchasers of Housing Commission homes are known to have left Churchill since its establishment?

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

149 to 26th October, 1970.

OCCUPATIONAL THERAPISTS.

VACANCIES: EMPLOYMENT IN GOVERNMENT DEPARTMENTS: CASE LOAD.

Mr. LIND (Dandenong) asked the Minister of Health—

1. How many senior positions for occupational therapists in country institutions are vacant at present?

2. What is the maximum period these positions remained vacant?

3. When vacancies existing at Bendigo and Sunbury will be filled?

4. What steps are being taken to extend occupational therapy services to country hospitals now unserviced?

5. What number of patients is regarded as being a reasonable case load for occupational therapists in the employ of the Department of Health?

6. What is the case load recommended by the Victorian Association of Occupational Therapists?

7. What is the proportion of qualified occupational therapists to unqualified aides in occupational therapy departments at—
   (a) institutions under the control of the Hospitals and Charities Commission;
   (b) State Government institutions; and
   (c) Commonwealth Government institutions in Victoria?

Mr. ROSSITER (Minister of Health).—The answers are—

Without sending a circular to each of the several hundred institutions subsidized through the Hospitals and Charities Fund, each of which is responsible for the employment of its own staff, it is not possible to include in the answer figures relating to all institutions within Victoria. An answer in respect of Commonwealth Government institutions could only be obtained by raising the matter with the Commonwealth departments concerned—social services, repatriation and perhaps health.

In so far as State Government institutions are concerned, the only institutions that employ occupational therapists are those

RICHMOND PRIMARY SCHOOL.

Mr. HOLDING (Leader of the Opposition) asked the Minister of Education—

If he will lay on the table of the Library the file containing all notes, memoranda and surveys done on the condition, and the need for repairs, at Richmond Primary School No. 2084?

Mr. THOMPSON (Minister of Education).—The answer is, "Yes."
Questions on [28 October, 1970.]

1. How many occupational therapists are employed by the Department of Health?
2. When occupational therapists were first appointed in Victoria?
3. How many such officers are employed in each branch, indicating the locations and duties in each case and what is the increase in number at each location since initial appointments?
4. What was the authorized establishment and the maximum number of occupational therapists employed, respectively, in the Department of Health in 1957, and in each subsequent year?
5. How many cadetships or bursaries are at present offered each year to students of occupational therapy?

Mr. ROSSITER (Minister of Health).—The answers are—
1. Thirty-five with another two part-time and two on a sessional basis.
2. The first occupational therapy service was established at Mont Park Mental Hospital in 1934 and from this stemmed a substantial amount of craft instruction in institutions. However, persons holding the diploma of occupational therapy were first employed in the Mental Hygiene Branch on the 18th May, 1953.
3 and 4. Occupational therapists are employed only in the Mental Hygiene Branch and the establishment for that branch in each year from 1953 to 1970 is as follows:—

<table>
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<tr>
<th>Year</th>
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<td>1953</td>
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<td>1969</td>
<td>58</td>
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<td>1970</td>
<td>60</td>
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However, it is not possible to state the maximum number of occupational therapists employed in each year without a detailed examination of the staff records of each institution. Speaking generally, it can be said that five or six years ago employment figures were substantially the same as the establishment figures but there has been a falling off in the employment to establishment ratio since.

5. The Mental Health Authority makes one cadetship available each year for a male psychiatric nurse to train as an occupational therapist.

MEDICAL PRACTITIONERS.
RECRUITMENT OVERSEAS: SHORTAGE IN COUNTRY AREAS.

Mr. W. J. LEWIS (Portland) asked the Minister of Health—
1. What steps have been taken to recruit doctors from overseas?
2. Whether the necessary steps taken to alleviate the shortage of doctors in country areas of Victoria include payment of a subsidy to the doctors so recruited; if so, what is the amount of subsidy?

Mr. ROSSITER (Minister of Health).—The answers are—
1 and 2. From time to time arrangements are made through the Agent-General in London for advertisements to be placed in professional journals published in Great Britain and Ireland seeking medical practitioners willing to accept appointments in country towns in Victoria. Such journals...
are sent to many of the medical practitioners throughout the British Commonwealth.

On condition that the medical practitioner stays a minimum of two years in the area concerned, doctors are offered free transport from Great Britain to Victoria, a settling-in allowance for a period of six weeks during which they work usually in metropolitan hospitals and a guarantee of a minimum income of $8,000 a year with an extra payment of $2,000 a year if the doctor remains in the country town for a third year. Apart from the latter payment no subsidy is paid.

In some cases where there is a public hospital in the country area concerned the arrangement is made by the hospital with the concurrence of the Hospitals and Charities Commission.

In other areas where there is no public hospital the agreement with the medical practitioner is made by me.

MELBOURNE AND METROPOLITAN TRAMWAYS BOARD.

DISPOSAL OF OLD TRAMCARS.

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

Further to his answer to question No. 43 asked in this House on 13th October, 1970, what means were used to dispose of the eleven tramcars referred to in part 3 of that answer?

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

Three were scrapped, four were sold to private individuals and four were donated for use in schools or youth centres.

QUESTIONS WITHOUT NOTICE.

POLICE ASSOCIATION SURVEY.

Mr. WILKES (Northcote).—Has the attention of the Chief Secretary been drawn to a survey conducted by two Queenslanders for the Police Association; if so, does the honorable gentleman intend to make this survey available to Colonel Sir Eric St. Johnston?

Sir ARTHUR RYLAH (Chief Secretary).—I am not sure of the survey to which the Deputy Leader of the Opposition is referring, but I am certain that any information available to the Police Association will also be made available to Colonel Sir Eric St. Johnston. If not, I am quite sure he will see that he gets it.

EMPLOYMENT OF SCHOOL CHILDREN.

Mr. EDMUNDS (Moonee Ponds).—I ask the Minister of Education: On what date are students over fifteen years of age permitted to leave school this year to take up part-time employment if they wish to continue their studies next year at secondary schools?

Mr. THOMPSON (Minister of Education).—Last year, I arranged for a circular to be sent to schools so that a uniform practice could be adopted by the State system as a whole. I intend that a similar practice shall be followed this year.

GRANTS TO WATER TRUSTS.

Mr. AMOS (Morwell).—Can the Minister of Water Supply inform me whether Government grants are made available to water trusts for reticulated water supply works? If not, why not?

Mr. I. W. SMITH (Minister of Water Supply).—The Government subsidizes interest rates in excess of 3 per cent on money borrowed by water trusts.

VICTORIA POLICE FORCE.

Mr. WILKES (Northcote).—Has the Chief Secretary received an interim report from Colonel Sir Eric St. Johnston? If not, when the final report is available, will Parliament have the opportunity of examining that report?

Sir ARTHUR RYLAH (Chief Secretary).—The answer to the first part of the question is, "No", except on one aspect—the computer—on which Colonel Sir Eric St. Johnston has given me some interim views. On the second aspect, I have already given an undertaking that Colonel Sir Eric St. Johnston's report will be available to members of Parliament, and I hope they will find it of benefit.

RURAL FIRE-FIGHTING UNITS.

Mr. AUREL SMITH (Bellarine).—In view of the early indications of a probable high bush-fire danger
period this summer, could the Chief Secretary inform me the position regarding the promise made in the Government's policy speech to subsidize the provision of small fire-fighting units for rural areas?

Sir ARTHUR RYLAH (Chief Secretary).—I intended to bring with me this morning some information on this matter because the final decision was reached yesterday. Unfortunately, I overlooked doing so. However, from memory, the situation is that the Government has agreed to the conditions suggested by the Country Fire Authority. There will be a two-for-one subsidy with a limit of about $250. The equipment must be approved by the Country Fire Authority and must be used specifically for fire fighting. It is hoped that the scheme will come into operation as from 1st November. I have seen a draft of the application form which should be available quite soon. That is all I can tell the honorable member at present, but I shall be only too happy to send him full details by letter.

NONFERRAL PTY. LTD.

Mr. SIMMONDS (Reservoir).—Is the Minister of Health aware that today fumes are being emitted from the premises of Nonferral Pty. Ltd., Dunstans Court, Keon Park, and that these fumes smell of chlorine? What steps does the Department of Health intend to take to ensure that these fumes, which were also being emitted yesterday, will not be emitted tomorrow?

Mr. ROSSITER (Minister of Health).—I am aware that there are certain emanations from this industrial complex. I am not aware that fluorine—

Mr. SIMMONDS.—Chlorine.

Mr. ROSSITER.—That is allegedly even more dangerous than fluorine. I shall take note of the honorable member's question and invite him to be present with me when this matter is discussed with the Chief Health Officer.

KINDERGARTEN AT SOUTH MELBOURNE.

Mr. DOUBE (Albert Park).—Can the Minister of Housing inform me whether the authorities who operate the kindergarten at Eastern Road, South Melbourne, require more land for their activities; if so, will they have to acquire this land from the Housing Commission or from Silverton Transport and General Industries, which has purchased the land?

The SPEAKER (the Hon. Vernon Christie).—Order! Does the question relate to kindergartens?

Mr. DOUBE.—Yes.

The SPEAKER.—The question should not be addressed to the Minister of Housing.

Mr. DOUBE.—The kindergarten is on land which was acquired by the Housing Commission and which is in process of being sold to someone else.

Mr. MEAGHER (Minister of Housing).—I am not aware of any request from the kindergarten concerned for additional land. If and when such a request is made, I shall investigate the possibility of making the land available to it.

Mr. DOUBE (Albert Park).—Can the Minister of Housing further inform me whether, if this land is required by the kindergarten and if the land is now in the possession of Silverton Transport and General Industries, he will acquire the land from the company at the same price as it was acquired by the commission from the previous owners?

Mr. MEAGHER (Minister of Housing).—As the question is a hypothetical one, I shall give a hypothetical answer. If and when any request is made to me by the kindergarten concerned or any other organization, I shall investigate the matter to see what can be done to meet the request.
EFFECTS OF POLLUTION ON PANTY HOSE.

Mr. EDMUNDS (Moonee Ponds).—Has the Minister of Health seen press reports that girls wearing panty hose in the vicinity of the Public Library are having some sort of pollution problem that is dissolving the panty hose? If so, what action is his department taking to overcome this pollution?

Mr. ROSSITER (Minister of Health).—I heard the question up to the stage of panty hose being mentioned. I understand that there is some question of pollution being involved as the girls sit on the lawns outside the Public Library. This question would involve the Chief Secretary’s Department and the parks and gardens committee of the Melbourne City Council. I cannot see how it would involve the Minister of Health or his department. I shall be anxious to investigate the matter for the honorable member.

URBAN RENEWAL BILL (No. 2.)

Mr. BORNSTEIN (Brunswick East).—Has the Minister of Housing received any requests from any organization seeking postponement of the debate on the Urban Renewal Bill (No. 2)? If so, can he inform the House what organizations have made such requests, and what his answer has been to those requests?

Mr. MEAGHER (Minister of Housing).—I have seen a number of requests, mostly through the press, from various organizations seeking a postponement of this Bill. I have received letters from the Melbourne Chamber of Commerce, the Institute of Urban Studies, the Victorian Council of Social Service and the Committee for Urban Action, all making requests in terms of various degrees of urgency.

I have not yet had time to answer these letters, which I received on my desk yesterday morning. My answer to this matter will be that the Urban Renewal Bill (No. 2) is a matter for determination by Parliament rather than by outside organizations. Therefore, I propose that the debate on the Bill should continue today in accordance with its position on the Notice Paper. Parliament will decide if and when the matter is finalized.

POLLUTION PROSECUTIONS.

Mr. KIRKWOOD (Preston).—I ask the Minister of Health whether the Department of Health has considered assisting municipal councils with their legal costs when prosecuting firms under the Health Act for pollution offences.

Mr. ROSSITER (Minister of Health).—The answer is, “No”.

INSURANCE COMPANIES.

Mr. MUTTON (Coburg).—Can the Attorney-General inform me whether arrangements have been made with the Commonwealth Government for legislation to control insurance companies; if so, what is the time factor in regard to proposed legislation?

Sir ARTHUR RYLAH (Chief Secretary).—This question should have been directed to the Chief Secretary. I think I answered a similar question only last week. A conference was held in Canberra between the insurance commissioners of the various States and certain advisers. Discussions took place with the Federal Attorney-General, who indicated that the Commonwealth Government intended to legislate in this matter, thus rejecting the proposals submitted by the States that, because of their expertise in the matter, they should cover the situation. Admittedly, the Commonwealth Government has the power and the responsibility to legislate on this subject. The Federal Attorney-General indicated that probably legislation would not be introduced into the Federal Parliament until next year. This has now become certain because the Commonwealth Government is attempting to have the Commonwealth Parliament rise at the end of this week. Therefore, I
have asked the insurance commissioner whether legislation can be produced quickly to act as a stop-gap until the Federal Parliament has exercised its powers.

SCHOOL LIBRARIES.

Mr. GINIFER (Deer Park).—I preface my question to the Minister of Education by stating that, in the case of older established primary schools, when additional class-rooms are being constructed a library building is provided when there are at least 24 class-rooms. Some school principals are under the impression that libraries are being provided to schools with fewer than 24 class-rooms, and I ask the Minister whether there has been an alteration in departmental policy in this matter.

Mr. THOMPSON (Minister of Education).—The policy remains the same—that there should be a minimum of 24 class-rooms and that when additions are being made a library will be provided. In a couple of instances arguments have occurred about what constitutes a room, and the rumours may have sprung from that controversy.

SCHOOL LEAVING AGE.

Mr. SHILTON (Midlands).—Is the Minister of Education aware that the absence of a compulsory school leaving age from primary schools is causing a severe social problem in some country centres? If so, what action does the Education Department intend to take to overcome the problem?

Mr. THOMPSON (Minister of Education).—Did the honorable member refer to the absence of a compulsory leaving age?

Mr. SHILTON.—Yes.

Mr. THOMPSON.—The present school leaving age in Victoria is fifteen years—it was increased from fourteen six or seven years ago. This is the age up to which children must attend schools. Therefore in the usual sense of the term, there is a compulsory leaving age, or a compulsory age for school attendance.

PRICE CONTROL.

Mr. TREZISE (Geelong North).—In view of the crippling costs to the State and to the people caused by continued increases in prices, what objection has the Premier to the establishment of a prices commission in respect to essential goods on the same pattern as that operating in South Australia?

Sir HENRY BOLTE (Premier and Treasurer).—I admit that prices are increasing at an alarming rate, but this is brought about by increases in wages and salaries. If the honorable member advocates the pegging of wages and salaries and embraces that in his question, the Government will make a close examination of the over-all situation.

HOSPITAL ACCOUNTS.

Mr. HOLDING (Leader of the Opposition).—Some weeks ago, the Minister of Health indicated that he was investigating methods by which prompt payment of hospital accounts for accident victims could be enforced. Can the honorable gentleman inform the House how those investigations have progressed and whether any results are likely to be forthcoming during the present session of Parliament?

Sir ARTHUR RYLAH (Chief Secretary).—This matter was organized by me as Chief Secretary, and therefore I shall answer the question. Considerable progress has been made in the matter. I hope to be able to make an announcement on it shortly.

PRESTON COURT HOUSE.

Mr. KIRKWOOD (Preston).—Owing to the inadequate facilities available at Preston court, when will the Attorney-General consider either rebuilding or extending the present court house?
Mr. REID (Attorney-General).—I suggest that the honorable member should put this question on the Notice Paper.

REGIONAL LIBRARIES.

Mr. WILTON (Broadmeadows).—I direct a question to the Chief Secretary. In view of the important role that regional library services play in the community, and the serious financial difficulties confronting many new municipalities, will the honorable gentleman confer with the Treasurer with a view to reconsidering the regional library subsidy to be paid to metropolitan municipalities in the current financial year?

Sir ARTHUR RYLAH (Chief Secretary).—I have had a series of conferences with the Premier and Treasurer on the question of assisting libraries. The Budget provided for considerable assistance to libraries generally, and I cannot persuade the Treasurer to render further assistance, having regard to the financial difficulties this year.

SCHOOL ASSEMBLY HALLS.

Mr. BIRRELL (Geelong).—I direct a question to the Minister of Education in regard to the subsidy levels for assembly halls in State secondary schools. Would it be politic of the honorable gentleman, in actual fact, to—

The SPEAKER (the Hon. Vernon Christie).—Order! The honorable member is asking for an option.

Mr. BIRRELL.—Can the Education Department see its way clear to adjust its present policy on the increase from $72,000 to $90,000 in the subsidy for assembly halls and apply it on a graduated basis rather than having it operate from one date, which is at present 1st April, 1970? Schools which applied after that date will receive $90,000, whereas those which applied earlier will receive $72,000. There is no in-between point.

Mr. THOMPSON (Minister of Education).—Whatever dividing line is drawn for qualifications for subsidies in any field, some heartburning is caused. Instead of introducing the subsidy from October or November, the time of the announcement of the Budget, it was made retrospective to 1st April to provide relief to those schools which were in the process of building assembly halls. It would be difficult to take the subsidy further back than that.

HALLUCINOGENIC DRUG L.S.D.

Mr. DOUBE (Albert Park).—Can the Minister of Health recall a question that I asked him a fortnight ago pointing out that two eminent British psychiatrists had indicated that there was an inherent danger in prescribing the hallucinogenic drug, LSD? The honorable gentleman on that occasion stated that he had not read the report. I ask the honorable gentleman: Has he now read the report; if so, has he any recommendation or report to make to this House?

Mr. ROSSITER (Minister of Health).—Yes, I have read the report. In answer to the second part of the question, I have not as yet any recommendation or report to make to this House. The Alcoholic and Drug Dependent Persons Branch of the Department of Health has now received information and it will examine these and associated problems. I hope that within a short time this House will be able to consider and debate the recommendations which will be made in relation to the drug dependent and alcoholic area of the community.

EDUCATION DEPARTMENT.

Mr. WILTON (Broadmeadows).—I address a question to the Minister of Education. Will the Minister undertake to increase the maintenance grants made to parents in necessitous circumstances to assist in the education of their children, with a view to restoring the value of the grants to what it was when the system was first introduced?
Mr. THOMPSON (Minister of Education).—Considerable thought and attention has been given to this problem over recent months. The Treasurer has agreed to make available the sum of $100,000 to provide a fund for additional assistance in necessitous cases. Whether that money should be used to increase the sums already paid to families at present qualified or should be used to assist those on the borderline, particularly those with large families who just fail to qualify, is an open question. I have a committee examining the problem at present with a view to making a recommendation on which type of aid should be provided.

ABORIGINES.

Mr. BORNSTEIN (Brunswick East).—I address a question to the Attorney-General, although it may have some relevance for the Minister for Aboriginal Affairs. A judgment was given earlier this year by Mr. Justice Gillard and a decision was made by the Full Court of the Supreme Court last week that Aborigines, as referred to in a will—

The SPEAKER (the Hon. Vernon Christie).—Questions without notice should be brief. I ask the honorable member to put his question.

Mr. BORNSTEIN.—It was ruled that the term “Aboriginals” related only to full blood Aborigines. I ask the Attorney-General what consequences this decision will have on legislation in view of the definition of “Aborigine” in the Aboriginal Affairs Act?

Mr. REID (Attorney-General).—An answer to this question would involve lengthy research. It is difficult to deal with the matter until the judgment of the Full Court has been examined by the Crown Solicitor. This is being done. I have offered to supply the honorable member with a copy of the judgment and that will be available to him today. If the honorable member has any further question on the

matter after perusing the judgment, I suggest that he place it on the Notice Paper.

EDUCATION DEPARTMENT.

Mr. WILTON (Broadmeadows).—In the light of the answer which the Minister of Education gave to the question I asked about financial assistance to parents in necessitous circumstances, will the honorable gentleman advise me immediately he makes a decision in the matter?

Mr. THOMPSON (Minister of Education).—Yes.

HEPATITIS.

Mr. DOUBE (Albert Park).—I ask the Minister of Health whether he can recall my asking a question, fourteen days ago, regarding a hepatitis outbreak affecting eleven people occupying one building in North Melbourne? The Minister then said that he was not aware of the outbreak but would make inquiries. Has the Minister made inquiries and, if so, what are the results?

Mr. ROSSITER (Minister of Health).—I vividly recall the question being asked by the honorable member for Albert Park fourteen days ago. I have made some inquiries and, to my astonishment, found what ought to have been known by a former Minister of Health of this State, namely, that the problem is to be resolved by the health department of the Melbourne City Council.

VICTORIAN RAILWAYS.

Mr. TREZISE (Geelong North).—Does the Minister of Transport believe the critics of the Victorian Railways have exaggerated the burden which is placed on the people so far as costs—

The SPEAKER (the Hon. Vernon Christie).—The honorable member is asking a question which concerns a matter of opinion.
Mr. TREZISE.—I shall reframe the question, Mr. Speaker. Will the Minister inform the House whether critics of the Victorian Railways have exaggerated the financial burden imposed on this State by the railways as a result of debits being improperly charged against the department; if so, what charges does the Minister consider should be made against other bodies?

The SPEAKER (the Hon. Vernon Christie).—This question calls for a very detailed answer, and I do not think it is suited to the period which is devoted to questions without notice. I suggest that it should be placed on the Notice Paper.

HEPATITIS.

Mr. DOUBE (Albert Park).—In view of the answer given by the Minister of Health to my earlier question, can it be taken that hepatitis outbreaks are no longer the concern of his department and will in future be left to local councils?

Mr. ROSSITER (Minister of Health).—It cannot be taken in that way. It is a matter for the Department of Health in its proper jurisdiction.

Mr. HOLDING (Leader of the Opposition).—Can the Minister of Health explain what is the proper jurisdiction of his department in respect to an outbreak of hepatitis?

The SPEAKER (the Hon. Vernon Christie).—The question should relate to a matter of administration.

Mr. HOLDING.—It does, Sir. In view of his answer to the question asked by the honorable member for Albert Park, I am asking the Minister of Health what he regards as the proper area of jurisdiction of the Department of Health in dealing with outbreaks of hepatitis, as against the jurisdiction of local government?

The SPEAKER.—The question is asking for an expression of opinion, and it is therefore out of order.

Mr. HOLDING.—I raise a point of order, Mr Speaker. I submit, with respect, that where a Minister has indicated that in the operation of his department there is a difference in jurisdiction between his department and a local government council in dealing with an outbreak of hepatitis, I am entitled to ask where the borderline is. That is not seeking an expression of opinion. It is a matter which involves a clear decision; in fact, I should have thought it was a straightforward matter of interpretation.

The SPEAKER.—I think the question would be quite properly asked if it were framed in those terms. As I recall it, the original question sought an opinion. The question can be directed in such a fashion that it does relate to the administration of the Department of Health.

Mr. HOLDING.—I shall rephrase the question, Mr. Speaker. In view of the answer he gave the honorable member for Albert Park, concerning that area which he believes is properly a matter for the administration of his department as against that of local councils in dealing with an outbreak of hepatitis, will the Minister of Health inform the House where the line is drawn?

Mr. ROSSITER (Minister of Health).—The Department of Health has over-all jurisdiction in relation to infectious diseases in Victoria.

Mr. Doube.—And also a responsibility.

Mr. ROSSITER.—Yes, it also has a responsibility, and it conducts a hospital. If hepatitis is diagnosed as infectious hepatitis, any outbreak immediately comes within the jurisdiction of the Department of Health.

NATIONAL PARKS BILL.

Mr. BORTHWICK (Minister of Lands), by leave, moved for leave to bring in a Bill to re-enact and amend
the law relating to national parks and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

TEACHER HOUSING BILL.
Mr. THOMPSON (Minister of Education), by leave, moved for leave to bring in a Bill to make provision for adequate and suitable housing accommodation for teachers, to provide for the establishment of a teacher housing authority, and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) BILL.

Mr. REID (Attorney-General) moved for leave to bring in a Bill relating to the administration of laws of the Commonwealth and of the State of Victoria in Commonwealth places and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

HOUSING (AMENDMENT) BILL.
Mr. MEAGHER (Minister of Housing) moved for leave to bring in a Bill to amend the Housing Act 1958 and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

MEDICAL PRACTITIONERS BILL.
Mr. ROSSITER (Minister of Health) moved for leave to bring in a Bill to re-enact with amendments the law relating to the registration of medical practitioners and for purposes connected therewith.

The motion was agreed to.

The Bill was brought in and read a first time.

STATE FORESTS WORKS AND SERVICES BILL.

Mr. MEAGHER (Minister of Forests).—I move—

That this Bill be now read a second time. It provides authority for the expenditure of $5.1 million on works and services. It is the first works and services Bill to be presented to Parliament under the new budgetary arrangement announced by the Treasurer and incorporated in the Public Account Bill which has been presented to the House.

There is no change in the form of the schedule compared with previous State forests loan application Bills. At the Committee stage, I shall move an amendment to item 4 of the schedule to make it coincide with the schedule shown on the notes which have been circulated to honorable members. The item printed in the Bill does not state the position as clearly as the notes, and the amendment which I foreshadow will do no more than clarify the wording.

An amount of $3,625 million has been approved for expenditure on proposed works for the financial year ending 30th June, 1971. The additional amount authorized by the Bill is to provide Parliamentary authority to continue works until the passing of further legislation relative to the works programme to be approved for the financial year 1971-72.

Clause 1 of the Bill comprises the short title and citation. Clause 2 provides for the expenditure of moneys for the purposes set out in the schedule to the Bill. Clause 3 provides that no moneys shall be expended except under this measure and has the effect of cancelling unexpended authorities remaining under the State Forests Loan Application Act. I pass now to a discussion of each of the items listed in the schedule.

ITEM 1: Fire protection, $850,000—The Forests Commission is responsible for prevention and suppression of fires in State forests and national parks, which total about a quarter of the State's area.
As it is an established fact that in south-eastern Australia the combination of climate and inflammable eucalypt fuel gives rise to severe bush fires practically every summer there is a very real need to maintain expenditure on forest fire protection, particularly the prevention aspects, at a high level.

Accordingly, provision has been made for the following works:
- Construction of 2 lookout towers, 318 miles of fire access tracks, 30 helicopter landing pads, 133 miles of dozed firelines; and improvement of 260 miles of access tracks. Sixteen new dams will be constructed in areas where permanent water supplies are not normally available in summer.
- A further fire-bombing base at St. Clair, near Matlock, will be equipped with facilities for mixing and loading phoschek fire retardant into aircraft for attack on fires in mountain forests. Of course, existing bases at Benambra, Snowy Plains, Victoria Valley and Bonang will be maintained. The commission will again retain a helicopter on immediate call in the summer for transport of fire crews and for plotting the spread of major fires.
- Funds are again provided for employment of two mobile self-contained crews of university students during January and February to augment the commission's basic force of fire fighters in forest districts. Similar crews have proved valuable in the past four fire seasons. The Government has made special provision for expenditure of $23,000 on fire protection works in State forests in the Dandenong Ranges as a further positive step in implementing the fire protection plan for that area. The major work to be undertaken is removal of hazardous material from the buffer zone above The Basin.

Mr. Meagher.

FIRE-FIGHTING EQUIPMENT: Funds are provided for purchase of the following major items of equipment:
- 13 pumps;
- six 4 x 4 600-gallon tankers;
- and 4 small first attack dozers.

ITEM 2: Indigenous State forests, $520,000—Native forests will be given suitable silvicultural treatments. The main operations will be reforesting blank areas, regeneration of cut-over areas and the thinning of overstocked young stands which will not yet produce enough commercial produce to be treated by licensed operations on a royalty basis. Major expenditure will be in the areas of first-class timber potential which lie in the higher rainfall areas of the State. The better stands of timber in other areas will also be treated. These include red gum forests along the Murray, the box and ironbark stands of northern areas and various types of mixed eucalypt forests.

The regeneration of cut-over areas of the two ash species—mountain ash and alpine ash—is of prime importance and it is planned to treat approximately 5,000 acres to ensure re-stocking with a new crop. With the exception of isolated patches less than ten to fifteen acres in area, seed will be delivered to these areas from aircraft. The technique now proved operationally successful is to burn the slash on the utilized areas in the autumn to provide a receptive seed bed, and then disburse seed from the air prior to the onset of winter. The fine eucalypt seed is clay-coated to enlarge it, mixed with a bulking material and then applied at a net seed rate varying between one and two lb. per acre depending upon the amount of natural seed fall which can be expected from cull trees remaining in the area.

The honorable member for Morwell reminds me that the Forests Commission also colours the seed coating for the good reason that it has been found that certain ants are allergic to certain colours. If the
appropriate colour is used, the ants are repulsed and better seeding results are obtained.

Thinning of established young stands, the removal of cull trees and removal of unwanted coppice growth in forests in the lower rainfall areas are also planned. For reasons of economy the operations of licences in the removal of saw logs, poles, pulp wood, fence posts and other produce are controlled to provide maximum silvicultural benefit to the remaining trees. Departmental labour is used where non-merchantable operations are required.

Provision is made under this item for works in forest parks, alpine reserves and scenic reserves. The commission has established 89 such parks and reserves, totalling 63,716 acres of reserved forest, for public recreation and similar uses. “Similar uses” includes flora and fauna protection. The Princess Margaret Rose Cave in the Rennick forest district has been taken over from the private operator, a residence has been built for the warden in charge and further developments are planned.

**ITEM 3**: Extraction roads, $450,000—Expenditure on extraction roads is planned at $345,000. The principal expenditure proposed, by divisions, is—eastern, $142,000; central, $42,000; and south-western, $42,000. In addition to new construction, provision is made for improvement of existing roads and bridges which are now carrying increased volumes of forest produce. This work will include some realignment and surfacing. Provision is included for some additional roads for the extraction of forest produce, required under the terms of agreements between various companies and the commission. In addition to their extraction function, all of these roads form part of the general road system of the commission which facilitates management and protection of the forests.

**ITEM 4**: Plantations establishment—softwoods and hardwoods—including softwood planting undertaken in accordance with agreements between the Commonwealth and the State, $2.75 million—The Softwood Forestry Agreements Act which covers the period 1st July, 1966, to 30th June, 1971, requires that the commission plant 50,000 acres of softwood during that period. The commission will attain this target, as a final planting of only approximately 2,400 acres is all that is required prior to 30th June, 1971.

The softwood forestry programme in this State is financed jointly by the Commonwealth and Victoria, the respective shares being determined in accordance with a formula set out in clause 2 of the agreement. The Commonwealth's share is in the form of annual advances interest free for the first ten years, and repayable thereafter over 25 years with interest at the long term bond rate applicable to each advance. At the conclusion of the current agreement on 30th June, 1971, it is estimated that the Commonwealth will have provided loans to Victoria amounting to $2,080,000 for the purposes of the agreement. A second five-year agreement is planned to commence on 1st July, 1971, and the proposed softwood planting programme for Victoria is 15,000 acres a year. It is necessary that provision should be made in this Bill for works required for the second agreement, principally land acquisition and clearing, roadting, and raising plants in nurseries.

Operations will be carried on in 24 districts, the major plantings being Benalla 1,600 acres, Tallangatta and Rennick 1,500 acres each, and Myrtleford, Mansfield and Marysville forest districts 1,000 acres each. Major items provided for are: Land clearing, $537,000; raising nursery stock, $160,000; planting, $188,000; tending of areas already planted, $180,000; and roading, $190,000.
A third seed orchard will be completed and planted. These seed orchards are designed to produce seed genetically superior to that obtained from cones collected from existing plantations. If genetically superior seed increased the final yield by even 10 per cent the current increase in value on 50,000 acres of plantation would be $5 million.

The utilization of older plantations is steadily increasing and provision is made for improvement of roads within these areas. Re-establishment of stands completely utilized will be carried out by planting or by natural regeneration methods. Planting of hardwoods on farmlands which have reverted to the Crown or which have been purchased by the Forests Commission in the South Gippsland hills will be carried on at the annual rate of 700 acres. The seedlings, principally mountain ash, are raised in a nursery at the Morwell forestry prison camp at Olsen's Bridge and the planting is mainly by prison labour. Other hardwood plantings will be filling of blank spaces in forest areas and rehabilitation of worked-out gravel pits.

Item 5: Forest officers' quarters, workshops and other buildings, $190,000—In accordance with its policy of providing suitable accommodation for its permanent staff in country locations, new houses are proposed at Mansfield, Poweltown, Erica, Rennick and Yarram, while provision is included for new offices at Stawell and Daylesford. The commission proposes to use modern designs and to employ and display Victorian timbers as much as possible in these buildings. Proposals include new camp buildings at Myrtleford and extensions to nursery buildings at Benalla and Trentham. The demand for toilet and shelter buildings at forest parks, snow-fields and so on, will be supplied as subsidies become available from the Ministry of Tourism.

Item 6: Purchase of land, $70,000—The purchase of properties for the extension of the fire protection zone north of the Ferntree Gully National Park is continuing. Provision has also been made for the purchase of other properties in the Dandenong Ranges which were included in past planning orders for the preservation of natural beauty in the area and for fire protection purposes. In accordance with its continuing programme of forest management and protection, the commission proposes to purchase, when offered, suitable private property adjoining existing reserved forest. Other land purchases will be necessary to provide access for fire protection and timber extraction.

Item 7: Purchase of plant (other than under items 1 to 5 inclusive), $220,000—Provision has been made for the purchase of equipment not financed from the Forests Plant and Machinery Fund. Items covered are purchase or fabrication of small plant, tools and equipment required by the central workshop and the various field repair centres, the purchase of chainsaws, motor mowers, bore pumps and the like and the replacement of any plant not covered by the above fund.

Provision is also made in this Bill for the purchase of additional large tractors for extensive land clearing operations required to carry out the softwood forestry expansion programme.

Item 8: Farm forestry, $50,000—The farm forestry loan scheme continues to attract applicants who desire to devote up to 100 acres of their land to commercial pine plantings. Up to 30th June, 1970, $126,000 has been committed under agreements made with landowners; $76,000 of this amount has already been paid as reimbursement of approved expenditure. Committed funds are drawn on as work proceeds and reimbursements for any one year cannot be accurately estimated. An amount of $20,000 has been provided to cover reimbursements which it is anticipated will be claimed this year. I strongly commend this Bill for the consideration of the House.
INDEX.

VOLS. 299, 300, 301, 302.

LEGISLATIVE COUNCIL.

A.

Abolition of Capital Punishment Bill—Introduction and first reading, 96; second reading, 658, 881, 2037; second-reading motion negatived, 2043.

Aboriginal Lands Bill—Received from Assembly and first reading, 2281; second reading, 2402, 2756; Committee, 2760; remaining stages, 2765.

Adult Education—Government support, 470.

Aerial Spraying Control (Amendment) Bill—Introduction and first reading, 1245; second reading, 1349, 1539; remaining stages, 1540.

Aged and Infirm Persons—Homes, (qn.) 4572. Finances of institutions, (qn.) 4572. Waiting times, (qn.) 4572. Fees, (qn.) 4572. Accommodation available, (qn.) 4573. (See also “Hospitals and Charities Commission.”)

Agriculture. (See “Department of Agriculture.”)

Air Services—to country areas, (qn.) 2849.

Albert Park Land Bill—Received from Assembly and first reading, 4488; second reading, 4490, 4793; remaining stages, 4794.

Alcoa of Australia (W.A.) N.L. Bill—Received from Assembly, 4953; declared a private Bill, 4953; motion to treat as public Bill agreed to, 4954; first reading, 5026; second reading, 5027; remaining stages, 5027.

Alcoholism Foundation of Victoria—Government grant, 3791.

Anzac Day—Payments to Returned Services League patriotic funds from football fixtures, 4942, 4945.

Apex—Anniversary of Association of Apex Clubs, 695.

Appeal Costs Fund Bill—Received from Assembly and first reading, 4709; second reading, 4791, 5411; Committee, 5412; remaining stages, 5413.

Apprenticeship (Amendment) Bill—Received from Assembly and first reading, 1552; second reading, 1526, 2284; remaining stages, 2286.

Appropriation Bill—Received from Assembly and first reading, 3443; second reading, 3517, 3789; Committee, 3793; remaining stages, 3795.

Architects (Amendment) Bill—Introduction and first reading, 96; second reading, 99, 581; Committee, 582; remaining stages, 586.

Arthur’s Seat—Quarrying operations, 5420, 5429, 5430. Declaration as scenic area, 5429.

Artificial Insemination—Storage of semen, (qn.) 5242. (See also “Stock (Artificial Breeding) (Amendment) Bill.”)

Audit (Auditor-General) Bill—Received from Assembly and first reading, 1350; second reading, 1350; Committee, 1351; remaining stages, 1352.

Audit (Recovery of Overpayments) Bill—Received from Assembly and first reading, 5116; second reading, 5245, 5273; Committee, 5277, 5290; remaining stages, 5291.

Automation—Effects, 1078. In power production, 1677.

B.

Banking—Assistance to primary industries, 7.

Barley Marketing Bill—Introduction and first reading, 4367; second reading, 4488, 4602; Committee, 4606; remaining stages, 4607.
INDEX.

Barrabool Shire. (See “Geelong Land (Special Grant) Bill.”)

Barry Beach—Goods transported, (qn.) 3856.

Births, Deaths and Marriages. (See “Registration of Births Deaths and Marriages (Amendment) Bill.”)

Boilers and Pressure Vessels Bill—Received from Assembly and first reading, 560; second reading, 674, 990, 1513; Committee, 1514; remaining stages, 1517.

Bolwell Motor Cars—Roadworthiness, 369.

Bookmakers’ Betting Tax—Payments to Consolidated Fund, (qn.) 1058.

Bradbury, Hon. A. K. (North-Eastern Province).
Address-in-Reply, 1362.
Apprenticeship (Amendment) Bill, 2285.
Appropriation Bill, 3793.
Audit (Recovery of Overpayments) Bill, 5276.


Dental Services—Establishment of dental clinics at country hospitals, 1364.

East Melbourne Land Bill, 2654.

Education Department — Wangaratta Technical School, 445, 1984, 4785, 5135.

Primary school for Tungamah, 445.


Environment Protection Bill, 3487.

Footwear Regulation Bill, 3638.

Gas and Fuel Corporation—Charges for Heatane gas, 5243.

Governor—Service to State, 1362.

Hairdressers Registration (Amendment) Bill, 2546.

Health (Tuberculosis Arrangement) Bill, 4802.

Hire Purchase (Insurance) Bill, 2752.

Hospitals and Charities Commission—Hospital finances, 3793. Provision of funds for institutions, 4183.

Hospitals Superannuation (Amendment) Bill, 1253, 1254.

Housing Commission—Allocation of homes at Wangaratta, 1372. Rents for pensioners, 2298.

Labour and Industry (Amendment) Bill, 2185, 2189, 2292.

Labour and Industry (Shop Closing) Bill, 1269, 1271, 1272.

Local Authorities Superannuation (Disability Benefits) (Commencement) Bill, 4804.

Methodist Church (Victoria) Property Trust Bill, 1788, 1789, 1870.

Metropolitan Fire Brigades (Amendment) Bill, 2269, 2272, 2273.

Nursing—Committee of inquiry, 353.

Police Regulation (Amendment) Bill, 4710, 4712.

Public Service (Amendment) Bill, 1352.

Public Works and Services Bill, 3339, 3351.

Public Works Department—Tenders in country areas, 5135. Tenders for work at Wangaratta Technical School, 5135.

River Improvement (Amendment) Bill, 1250.

River Improvement Trusts—Financial allocations, 1365.

Road Safety and Traffic Authority—School crossing at Benalla, 1370.

Snowy Mountains Engineering Corporation (Victoria) Bill, 4706, 4707, 4793.

Stamp Duty—Payments, 4910.

State Development Bill, 3722.


Stock (Artificial Breeding) (Amendment) Bill, 3863.

Superannuation Bill, 3177.

Supply (July to September) Bill, 5135.

Water Supply Works and Services Bill, 2649, 2650, 2651.

Wheat Marketing (Special Quotas) Bill, 19.

Wodonga Lands Exchange Bill, 2631.

Workers Compensation Bill, 3770.

Rulings and Statements as Acting Chairman of Committees—Debate—Relevancy of remarks, 986.
Bromureides—Sale of, 5089, 5403.


Building Industry—Suggested registration of builders, 5415, 5431.

Building Societies (Amendment) Bill—Received from Assembly and first reading, 4189; second reading, 4368, 4822; Committee, 4830; remaining stages, 4832.

Business of the House—Adjournment to date and time fixed by President, 93, 3797, 5434. Days and hours of meeting, 97, 1344, 2169, 3364, 4575. Order of business, 383, 1347, 2193, 2903, 3869, 4575, 4937. Private members' business, 1344, 4304, 4575. New business, 1344, 4575.

Byrne, Hon. Murray (Ballaarat Province). Aboriginal Lands Bill, 2281, 2402, 2760, 2762, 2763.

Agriculture, Department of—Glenormiston Agricultural College, 4785.

Architects (Amendment) Bill, 96, 99, 582, 584.

Audit (Recovery of Overpayments) Bill, 5116, 5245, 5277, 5279, 5280, 5290.

Building Industry—Suggested registration of builders, 5431.

Building Societies (Amendment) Bill, 4189, 4368, 4830.

Children's Traffic Schools—Operation, 1342. Use, 1342.

Consolidated Revenue (Supply—July to September, 1970) Bill, 36.

Co-operative Housing Societies (Amendment) Bill, 348, 452, 681, 684.


Country Fire Authority (Borrowing Powers) Bill, 1342, 1347, 1349.

Criminal Appeals Bill, 2298, 2403, 3154, 3157, 3178, 3179.

Crown Land—At Puckapunyal, 1861.

Deputation to Minister of Education, 3055.

Dog Racing Control Board—Members, 1779. Additional dog-racing tracks, 3854.


Byrne, Hon. Murray—continued.

Education Department—Consolidated School—East Loddon, 444.


Group School—Quambatook, 4910.

Higher Elementary School—Omeo, 862.


Special Schools—North Footscray: Waiting list and extensions, 92.

INDEX.

Byrne, Hon. Murray—continued.

Teachers Colleges—For western suburbs, 92, 3853. Loss of staff, 1553.


Electoral—Enrolments in provinces and electoral districts, 4467.

Evidence (Scientific Tests) Bill, 674, 764.

Fisheries and Wildlife Branch—Ibis rookery in Tragowel Swamp, 961. Tamboon Inlet, 3857. Commercial fishing in River Murray, 4277. Reserve at Jack Smith’s Lake, 4574.

Flemington Racecourse—Use as school sports area, 4160.

Forest (Bowater-Scott Agreement) Bill, 4731, 4787.

Gas and Fuel Corporation (Pipelines) Bill, 5111, 5116, 5211.

Geelong Harbor Trust—Dumping of grain, 2630.

Home Finance (Amendment) Bill, 348, 451, 673.


Hospitals and Charities Commission—Hospital finances, 5410.

Housing (Amendment) Bill, 2005, 2156, 2898, 2900.


Imperial Acts Application (Repeals) Bill, 5241, 5247, 5249.

Justices (Service of Summonses) Bill, 3803, 3818, 4297.

Kangaroos—Destruction, 447.

Libraries—Government grants, 962. Staff training courses, 2382.

Liquor Control (Amendment) Bill, 5085, 5123, 5286, 5287.

Management Education—Post-graduate studies, 1861.

Byrne, Hon. Murray—continued.

Members—Qualification of Mr. Walsh, 73, 82.

Metropolitan Fire Brigades (Amendment) Bill, 1878, 2162, 2270, 2271, 2273.

Monash University—Teaching appointment of Mr. Albert Langer, 961. Disciplined students receiving allowances, 1512.

Money Lenders (Prescribed Interest) Bill, 1273, 1512, 2179.

Motor Car (Amendment) Bill, 455.

Motor Car (Fees) Bill, 2768, 2852, 3174, 3177.

Motor Car (Safety) Bill, 2751, 2900, 3465, 3466, 3506, 3507.

Motor Vehicles—Fitting of safety belts, 4277.

Municipalities—Canning Street bridge, Avondale Heights, 5087.

New Broken Hill Consolidated Limited Bill, 4832, 4911, 4929, 4932.

Pentridge Gaol—Prisoners, 4690. Staff, 4690.

Personal Explanation—Answer to question on notice, 2526.


Police Regulation (Amendment) Bill, 4362, 4392, 4711, 4712, 4713.

Presbyterian Church of Australia Bill, 4514, 4582, 4804.

Protection of Animals (Rodeos) Bill, 3803, 3806, 4374.

Public Trustee (Amendment) Bill, 5241, 5258, 5262.
Byrne, Hon. Murray—continued.

Public Works and Services Bill, 2891, 3030, 3343.


Registration of Births Deaths and Marriages (Amendment) Bill, 677, 963, 1520.

Road Safety and Traffic Authority—Pedestrian over-pass near Richmond High School, 92. Engineering section, 2741.

Road Traffic (Amendment) Bill, 382, 457, 778, 779.

Road Traffic (Road Safety and Traffic Authority) Bill, 2627, 2658, 3165.

Rural Finance and Settlement Commission—Interest rates, 5432.


Second-hand Dealers (Charity Collectors) Bill, 2426, 2534.

Seeds Bill, 5291.

Snowy Mountains Engineering Corporation (Victoria) Bill, 4708.

Social Welfare Bill, 3321, 3445, 3448, 3654, 3671, 3673, 3674, 3675, 3676, 3677, 3678, 3679, 3680, 3681, 3682, 3683, 3684, 3685, 3686, 3687, 3688, 3689.

Social Welfare Department—Deserted wives, 4004.

Stamps Bill, 1359, 1866, 1867, 1869.

Stamps (Credit Business) Bill, 5085, 5103, 5289.

State Forests Works and Services Bill, 1677, 1790, 2169.


Summary Offences (Trespass to Farms) Bill, 1058, 1091, 1532, 1535, 1787.

Superannuation (Transitional Provisions) Bill, 4910.

Supply—Departmental answers to matters raised in debate, 5431.

Supply (July to September) Bill, 5431.

Supply (Supplementary Estimates) Bill, 5125, 5410.

Byrne, Hon. Murray—continued.

Teacher Housing Bill, 2738, 2741, 3050, 3051, 3053, 3054.

Teachers Tribunal—Ministerial discussions with Victorian Secondary Teachers Association, 4160.

Teaching Service (Tribunal) Bill, 2738, 2748, 2850, 2851, 2862, 2889, 2891.

Traffic Control—Finance, 1858.

Transfer of Land (Duplicate Certificates) Bill, 4002, 4027.

Universities—Entrance standards, 5432.

Victoria Institute of Colleges (Amendment) Bill, 4954, 5027, 5029.

Victorian Railways—Land in North Carlton, 1859.

Westernport Development Bill, 1677, 1785, 2429.

Workers Compensation Bill, 3041, 3170, 3774, 3775.

C.

Campbell, Hon. W. M. (East Yarra Province).

Constitution Act Amendment (Disqualification) Bill, The, 1063, 1064, 1065.

Education Department—Qualifications of teachers, 4949. Educational reforms, 4950. Teaching methods, 4950.

Environment Protection Bill, 3472, 3486, 3499, 3504.

Gas and Fuel Corporation (Geelong Gas) Bill, 4845.

Health, Department of—Richmond day nursery, 2256.


Labour and Industry (Amendment) Bill, 2293, 2296.

Labour and Industry (Equal Pay) Bill, 4477.

Members—Resignation of Mr. Hamer, 4032.

Royal Dental Hospital, Melbourne—Graduates, 4953.

Summary Offences (Trespass to Farms) Bill, 1527.

Supply (July to September) Bill, 4949.

Workers Compensation (Common Law Claims) Bill, 1061, 1062.
Capital Punishment—Proposed appointment of Select Committee, 2043, 4469, 4695. (See also "Abolition of Capital Punishment Bill.")

Cattle Compensation Fund—Balance, interest and disbursements, (qn.) 2256.

Cemeteries (Fawkner Crematorium and Memorial Park) Bill—Received from Assembly and first reading, 4839; second reading, 4915, 5031; remaining stages, 5032.

Chairman of Committees—Appointment of Mr. Nicol, 90.

Chairman of Committees, the (Hon. G. J. Nicol.)

Rulings and Statements of—
Debate—Discussion of Supply schedule, 31. Relevancy of remarks, 374, 1263, 1265, 1886, 2890, 3490, 3493, 3501, 5030, 5271. Scope of debate on clause 2, 683, 685, 1260, 3157. Reference to proceedings in Legislative Assembly, 775. Matter raised by Chairman of Committees when speaking as private member, 970. Method of dealing with consequential amendment, 2273, 2556. Discussion of new clause on which amendments are consequential, 2553. Discretion on call, 2554. Reference to persons outside Parliament, 2558. Ambit of debate, 3494. Method of dealing with amendments, 3677, 3688, 4820, 4821. Amendment to be made by Clerk, 3678. Member not to speak when Chairman is on his feet, 4375. Point of order not upheld, 4500. Debate to be equally divided among all parties, 4508. Members permitted to debate clauses only and not Bill generally, 4822.

Footwear Regulation Bill—Casting vote on amendment to clause 3, 1262. Casting vote on amendments to clause 5, 1264, 1266.

Rulings and Statements as Deputy President—
Debate—Relevancy of remarks, 872. Appropriate stage for moving reasoned amendment, 3647. Reference to documents quoted, 4014.

Chairmen of Committees, Temporary—
Appointments, 5, 90.


Aerial Spraying Control (Amendment) Bill, 1245, 1349.


Albert Park Land Bill, 4488, 4490. Appropriation Bill, 3443, 3517, 3794.

Audit (Auditor-General) Bill, 1350, 1351.

Barley Marketing Bill, 4367, 4488, 4606.

Budget—Delay in presentation, 370.


Capital Punishment—Proposed appointment of Select Committee, 2043.

Cattle Compensation Fund—Balance, interest and disbursements, 2257.

Christmas Cards—Unsolicited, 3794.

Christmas Felicitations, 3797.

Churchill Water and Sewerage Works Bill, 4290.

Clerk—Absence of, 444.

Clerk-Assistant—Retirement of Mr. J. J. P. Tierney, 94. Appointment of Mr. G. N. H. Grose, 94.

Commonwealth Constitution—Proposed amendment, 880.

Commonwealth Parliamentary Association—Visit of overseas representatives, 104.

Commonwealth Pay-roll Tax—Non-payment by Victoria, 371.

Commonwealth—State Financial Relations, 5142.

Commonwealth Wool Assistance Scheme—Qualifying conditions, 4366.

Consolidated Fund—Receipts, 1059.

Consolidated Revenue (Final Supplementary Estimates 1969-70) Bill, 3443, 3518, 3796.

Consolidated Revenue (Supplementary Estimates 1969-70) Bill, 25.

Chandler, Hon. G. L.—continued.

Consolidated Revenue (Supply—October to December, 1970) Bill, 348, 357, 370.
Constitution Act Amendment (Responsible Ministers) Bill, The, 2426, 2532, 2639.
Country Roads (Amendment) Bill, 2154.
Country Roads Board—Clifton Hill–Craigieburn freeway, 4161.
Crimes (Inhumane Punishments Abolition) Bill, 4725, 4727.
Crown Land—in parishes of Derril and Flowerdale, 2044.
Dairying Industry—licensing of dairy farms, 355.
Deputation to Minister of Education, 3056, 3520.
East Melbourne Land Bill, 2426, 2526, 2654.
Education Department—Expenditure, 371.
Environment Protection Bill, 3502.
Environment Study of Port Phillip Bay—Report, 5085.
Extractive Industries Act—Permits, 2628.
Fertilizers and Stock Foods (Labelling) Bill, 451, 565, 971.
Fisherries (Amendment) Bill, 4006.
Flood Damage—in Gippsland, 4394.
Geelong Land (Special Grant) Bill, 4157, 4290.
Government Grants—Museums and cultural centres, 2628, 2738.
Grain Elevators Board—Payments to members, 3850.
Heart Disease—Effects of polysaturated fats, 5142.
Hospitals and Charities Commission—Hospital finances, 3795. Southern Peninsula Hospital, Rosebud, 4033. Provision of funds for institutions, 4182.
House Committee—Council members appointed. 4.
Joint Select Committee (Meat Industry) Bill, 22, 23.
Joint Select Committee (Road Safety) Bill, 22, 23.
Joint Sittings of Parliament—Monash University, 349. Victoria Institute of Colleges, 349, 4367. La Trobe University, 1862.
Land (Amendment) Bill, 1373, 1374, 2165, 2289, 2291.
Land Conservation Bill, 785, 1883, 1887, 1888, 1889, 1890.
Land Tax Bill, 2892, 3014, 3332, 3448, 3449, 3450.
La Trobe University—Council vacancy, 1862.
Law Department—Traralgon court house, 354.
Leadership of Parties, 4, 93.
Library Committee—Council members appointed, 4.
Little Athletics Association—Finance, 863.
Centres and clubs, 863. Kelior Little Athletics Club, 1860.
Marketing of Primary Products (Amend­ment) Bill, 4007, 4018, 4295, 4296.
Meat Industry Committee—Council members appointed, 5.
Melbourne and Metropolitan Board of Works—Cowderoy Street, West St. Kilda, drain, 4160.
Melbourne University Land Bill, 4709, 4786.
Melbourne Wholesale Fruit and Vegetable Market—Illicit trading in fruit and vegetables, 4613.
Members—Payment to Mr. R. W. Walsh, 349. Election of Mr. Thomas, 1245. Resignation of Sir Arthur Rylah, 3861. Resignation of Mr. Hamer, 4029. Overseas visit of Minister of Agriculture, 5245.
Methodist Church (Victoria) Property Trust Bill, 1342, 1379, 1790, 1870.
Milk Board—Contracts, 864. Price of milk, 4689.
Milk Industry—Suggested inquiry, 755.
Ministry, The—Changes, 3, 3643, 3862, 4156, 5085.
Monash University—Council vacancy, 349.
Motor Car (Amendment) Bill, 375.
Municipalities—Special grants, 655.
Museums and Cultural Centres—Government grants, 2628, 2738.
National Parks Authority—Classification of parks, 1244, 1344.
Noxious Weeds—Paterson’s Curse in Gippsland, 5243.
Parliamentary Salaries Bill, 3689, 3796.
Port Phillip Bay—Report of environment study, 5085.
Price Control—Suggested introduction, 5242.
INDEX.

Chandler, Hon. G. L.—continued.

Printing Committee—Members appointed, 4.
Probate Duty—On rural estates, 2256.
Probate Duty Bill, 2632, 2658, 2775, 2776.
Public Parks—In metropolitan area, 5087.
Public Works Committee—Council members appointed, 5.
Questions on Notice—Suspension of Standing Order No. 77, 5, 1800, 2153.
Railways Lands Bill, 2181, 2263, 2264.
Reader's Digest Association Pty. Ltd.—Activities, 3794.
Real Estate—Equity of non-residents, 4365, 4468.
Revocation and Excision of Crown Reservations Bill, 1536, 1621, 2037.
Road Safety Committee—Council members appointed, 5.
Royal Botanic Gardens—Kiosk, 2153. Payment to Mr. R. Frank, 3796.
Seeds Bill, 4007, 4189, 4595, 4596, 4597, 4598.
Simpson—Site for store and transport depot, 1244.
Soil Conservation and Land Utilization (Amendment) Bill, 4839, 4911, 5116.
Soldier Settlement Act—Interest rates, 3854.
Soldier Settlement Bill, 560, 577, 765.
Stamp Duty—Payments, 4910.
Standing Orders Committee—Members appointed, 4, 1344.
State Development Committee—Council members appointed, 5.
State Rivers and Water Supply Commission—Retrenchment of employees at Shepparton, 699.
Statute Law Revision Committee—Council members appointed, 5, 4189.
Statutory Salaries Bill, 3689, 3725.
Stock (Artificial Breeding) (Amendment) Bill, 4, 3868.
Stock Diseases (Amendment) Bill, 2005, 2630, 2892.
Subordinate Legislation Committee—Council members appointed, 5.
Superannuation (Amendment) Bill, 2765, 2857, 3177.
Supply (July to September) Bill, 4688, 4732, 5142, 5145.
Supply (Supplementary Estimates) Bill, 5121.
Survey Co-ordination (Place Names) Bill, 4839, 4917, 4920.
Teaching Service (Tribunal) Bill, 2851.
Tomato Processing Industry (Amendment) Bill, 2005, 2154, 2279, 2280.
Totalizator Agency Board—Revenue from fractions, 1058. Dividend adjustment funds, 2526.
Town and Country Planning (Amendment) Bill, 5030.
Uniform Building Regulations—Building permits issued by Melbourne City Council, 4158.
University of Melbourne—Council vacancy, 4786.
Vermin and Noxious Weeds (Amendment) Bill, 1677, 1781, 2534.
Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4488, 4491, 4703, 4704.
Victoria Institute of Colleges—Council vacancy, 349, 4367.
Victorian Inland Meat Authority (Amendment) Bill, 356, 376, 600.
Victorian Oat Growers Pool and Marketing Co. Ltd.—Members, 4689.
West Melbourne Market Land (Amendment) Bill, 560, 573, 784.
Wheat Marketing (Amendment) Bill, 1677, 1793, 2030, 2033.
Wheat Marketing (Special Quotas) Bill, 5, 11, 19, 21.
Wheat Quota Review Committee—Appeals, 3444. Special quotas, 3856.
Wodonga Lands Exchange Bill, 2426, 2529, 2632.
Wool Industry—Road transport, 4003. Commonwealth Wool Assistance Scheme, 4366.

Charity Collectors. (See "Second-hand Dealers (Charity Collectors) Bill").
Chemists' Shops—Closure on Easter Saturday, 4946.
Child-minding Centres—For married women workers, 1684.
Children's Traffic Schools—Operation and use, (qn.) 1342.
Chiropodists—Registration, (qn.) 3855.
Chiropractors—Registration, (qn.) 4005.
Christmas Cards—Unsolicited, 3793, 3794.
Christmas Felicitations, 3797.
Churchill Water and Sewerage Works Bill—Received from Assembly and first reading, 4157; second reading 4290, 4378; remaining stages, 4379.
Civil Aviation (Carriers' Liability) Bill—Received from Assembly and first reading, 348; second reading, 377, 771; Committee, 774; third reading, 776.
Civil Defence—Government assistance, 1638. Assistance rendered by Footscray organization in West Gate Bridge disaster, 1638. Municipal contribution, 1639.

Clarke, Hon. M. A. (Northern Province).
Address-in-Reply, 1665.

Appeal Costs Fund Bill, 5411.
Consolidated Revenue (Supply—July to September, 1970) Bill, 34, 36.
County Court (Jurisdiction) Bill, 5282, 5283, 5284.
Crimes (Amendment) Bill, 972, 1246.
Criminal Appeals Bill, 3151, 3157, 3179.
Crown Proceedings (Forfeited Recognisances) Bill, 5099.
Discharged Servicemen's Preference (Amendment) Bill, 989.
Employers and Employés (Attachment of Wages) Bill, 2854, 2856.
Evidence (Scientific Tests) Bill, 1517.
Footwear Regulation Bill, 1258, 1260, 1262, 1263, 1264, 1265, 1266, 3637, 3638.
Governor—Service to State, 1665.
Imperial Acts Application (Repeals) Bill, 5249.

Clarke, Hon. M. A.—continued.

Infant Welfare Centres—Subsidies, 758, 1666.
Justices (Bail and Appeals) Bill, 2656.
Justices (Service of Summons) Bill, 4296.
Land (Surrender to the Crown) Bill, 5289.
Law Department—Kyabram court house, 962.
Legal Profession Practice (Amendment) Bill, 1896.
Maintenance (Amendment) Bill, 2751.

Police Department—Driving licences, 760. Use of aircraft for traffic control, 2630.
Public Trustee (Amendment) Bill, 5261.
Public Works and Services Bill, 3346.
Racing (Amendment) Bill, 3695, 3698, 3706, 3707.
Road Safety and Traffic Authority—Painting of white lines on highways, 36.
Road Traffic (Road Safety and Traffic Authority) Bill, 3163.
Science Museum of Victoria Bill, 768, 969.
State Development, Department of—Closure of flour mill at Kerang, 3851, 4160.
State Rivers and Water Supply Commission—Woolshed Swamp storage, 5025.
Statute Law Revision Bill, 4599.
Summary Offences Bill, 588.
Summary Offences (Trespassers) Bill, 3779.
Supply (July to September) Bill, 5417.
Teachers Tribunal—Ministerial discussions with Victorian Secondary Teachers Association, 4160.
Teaching Service (Tribunal) Bill, 2872.
Tomato Processing Industry (Amendment) Bill, 2275, 2280.
Trustee Companies (Perpetual Trustees Australia Limited) Bill, 1255.
Vagrancy (Insufficient Means) Bill, 4691.
Clarke, Hon. M. A.—continued.

Victorian Railways—Level crossings at Kyabram, 760. Bulk flour wagons, 2629.
Water (Further Amendment) Bill, 3161. Water Supply Works and Services Bill, 2651.

Clerk—Absence of, 444. Overseas trips, 5434.
Clerk-Assistant—Retirement of Mr. J. J. P. Tierney, 93. Appointment of Mr. G. N. H. Grose, 93.

"Coach Special Brew", (qns.) 4003, 4161.

Coal Mines (Pensions) Bill—Received from Assembly and first reading, 4832; second reading, 4917, 5121; Committee, 5122; remaining stages, 5123.
Coal Mines (Pensions Increase) Bill—Received from Assembly and first reading, 900; second reading, 968, 1536; Committee and remaining stages, 1538.

Colonial Gas Association Limited.—Franchise areas, (qn.) 861. (See also "Gas Franchises Bill.")

Commercial Goods Vehicles Act—Road maintenance charges on primary producers' vehicles, (qn.) 4364, 5132.

Commissioners for Taking Declarations and Affidavits. (See "Evidence (Registration of Commissioners) Bill.")


Commonwealth Parliamentary Association—Visit of overseas representatives, 104.


Commonwealth Places (Administration of Laws) Bill—Received from Assembly and first reading, 2176; second reading, 2181, 2544; remaining stages, 2545.


Commonwealth Wool Assistance Scheme—Qualifying conditions, (qn.) 4366.

Companies—Robin Hood Milling Co. Pty. Ltd.; Closure of Flour mill at Kerang, (qns.) 3851, 4160; capital and shareholders, (qn.) 4367; relationship to Lake Flour Mills Pty. Ltd., (qn.) 4367; sale of plant, (qn.) 4367.

Conservation—Of natural resources and historic buildings, 478. Of flora and fauna in northern Victoria, 1644. (See also "Environment Protection Bill" and "Land Conservation Bill.")

Consolidated Fund—Receipts from bookmakers' betting tax, Tattersall's, Licensing Fund and Totalizator Agency Board, (qn.) 1058.

Consolidated Revenue (Final Supplementary Estimates 1969-70) Bill—Received from Assembly and first reading, 3443; second reading, 3518, 3795; Committee and remaining stages, 3796.

Consolidated Revenue (Supplementary Estimates 1969-70) Bill—Received from Assembly and first reading, 25; second reading, 37; remaining stages, 39.

Consolidated Revenue (Supply—July to September, 1970) Bill—Received from Assembly and first reading, 23; second reading, 25; Committee, 31; remaining stages, 37.

Consolidated Revenue (Supply—October to December, 1970) Bill—Received from Assembly and first reading, 348; second reading, 357; Committee, 359; remaining stages, 375.

Constitution Act Amendment (Disqualification) Bill, The—Introduction and first reading, 356; second reading, 447, 677, 1062.

Constitution Act Amendment (Responsible Ministers) Bill, The—Received from Assembly and first reading, 2426; second reading, 2532, 2638; Committee, 2639; third reading, 2640.

Constitution (Member's Qualifications) Bill, The—Introduction and first reading, 4690; second reading, 4790, 5414.

Co-operative Housing Societies (Amendment) Bill—Received from Assembly and first reading, 348; second reading, 452, 679; Committee, 681; remaining stages, 685.
Council for Christian Education in Schools
—Government grant, 5139.


Country Fire Authority (Borrowing Powers) Bill—Received from Assembly and first reading, 1342; second reading, 1347; Committee and remaining stages, 1349.

Country Roads (Amendment) Bill—Introduction and first reading, 2154; second reading 3858, 4007; Committee, 4011; remaining stages, 4013.


County Court (Jurisdiction) Bill—Received from Assembly and first reading, 4731; second reading, 4788, 5280; Committee, 5282; remaining stages, 5285.


Crimes (Amendment) Bill—Received from Assembly and first reading, 560; second reading, 570, 972; Committee, 972, 1245; remaining stages, 1247.

Crimes (Inhumane Punishments Abolition) Bill—Introduction and first reading, 3857; second reading, 4277, 4482, 4713.

Criminal Appeals Bill—Received from Assembly and first reading, 2298; second reading, 2403, 3148; Committee, 3154, 3178; remaining stages, 3180.

Crown Land—At Puckapunyal, (qn.) 1861. In parishes of Derril and Flowerdale, 2044. Public parks in Melbourne metropolitan area, (qn.) 5087, 5421. Alienation in Westernport Bay area, (qn.) 5088. (See also "Land (Amendment) Bill," "Land Conservation Bill," "Land

Crown Land—continued.

(Surrender to the Crown) Bill,” “Revd.,ation and Excision of Crown Reservations Bill” and “Soil Conservation and Land Utilization (Amendment) Bill.”)

Crown Proceedings (Forfeited Recognisances) Bill—Introduction and first reading, 4785; second reading, 4810, 5099; Committee, 5099; remaining stages, 5101.

Cultural Centres and Museums—Government grants, (qns.) 2628, 2738. (See also “National Museum of Victoria Council Bill” and “Science Museum of Victoria Bill.”)

Cyclamates—Use and effects, (qn.) 3855.

Dairying Industry—Licensing of dairy farms, (qn.) 355, 899. Two-price system, 472. Financial position, 899. (See also “Farmers” and “Milk Board.”)

Day Nurseries. (See “Department of Health.”)

Death—Tribute to Sir Herbert Hyland, 1655.


Demonstrations. (See “Social Behaviour.”)

Dental Services—Suggested establishment of dental clinics at country hospitals, 1364. School Dental Service in western suburbs, 1641. (See also “Royal Dental Hospital.”)

INDEX.

Department of Agriculture—continued.


Department of Labour and Industry—Closure of chemists' shops on Easter Saturday, 4946. (See also "Labour and Industry (Amendment) Bill," "Labour and Industry (Equal Pay) Bill," "Labour and Industry (Shop Closing) Bill" and "Scaffolding Bill").


Detergents—Effect on streams, 1073.

Dickie, Hon. V. O. (Ballarat Province).


Air Services—In country areas, 2849.

Alcoa of Australia (W.A.) N.L. Bill, 5026, 5027.

Apprenticeship (Amendment) Bill, 1552, 1626.

Cemeteries (Fawkner Crematorium and Memorial Park) Bill, 4839, 4915.

Chiropractors—Registration, 4005.

Churchill Water and Sewerage Works Bill, 4157.

Civil Aviation (Carriers’ Liability) Bill, 348, 377, 774, 776.

Commission of Public Health—Inquiry into odours at Werribee, 4574.


Day Nurseries—Subsidies, 561. Staff salaries and wages, 561. At Richmond, 2256.

Decentralization—Decentralized industries, 755, 1240.

Discharged Servicemen’s Preference (Amendment) Bill, 458.

Ehrenhaus Retail Bottled Liquor Licence Bill, 5085, 5108.

Employers and Employés (Attachment of Wages) Bill, 2257, 2274, 2854, 2855, 2856, 2896.

Environment Protection Bill, 3001, 3018, 3480, 3484, 3485, 3487, 3489, 3490, 3491, 3496, 3497, 3502, 3504.

Farm Water Supply Fund—Establishment, 863.

Footwear Regulation Bill, 478, 575, 1259, 1261, 1263, 1264, 1266, 1267, 3637.

Forests (Amendment) Bill, 2426, 2530.

Gas and Fuel Corporation (Geelong Gas) Bill, 4709, 4731, 4846, 4848.

Geelong Waterworks and Sewerage (Rates) Bill, 5099, 5128, 5130, 5263, 5264.

Government Departments and Instrumentalities—Location of Department of State Development and Liquor Control Commission, 4159.

Grassmere Land Bill, 5098, 5127.

Groundwater (Amendment) Bill, 560, 564, 985, 987, 1895.

Hairdressers Registration (Amendment) Bill, 1536, 1625, 2546.

Handicapped People—Motor vehicle registration concessions, 1781.
Dickie, Hon. V. O.—continued.


Health (Tuberculosis Arrangement) Bill, 4488, 4800, 4803.


Hospitals Superannuation (Amendment) Bill, 560, 567, 1253.

Howard Florey Institute of Experimental Physiology and Medicine Bill, 4832, 4920.


Kindergartens and Pre-school Play Centres—In Melbourne Province, 562. Staff, 562. In Doutta Galla Province, 4784.

Labour and Industry (Amendment) Bill, 1677, 1796, 2188, 2193, 2291, 2292, 2297. Labour and Industry (Shop Closing) Bill, 900, 966, 1270, 1271.

Land (Amendment) Bill, 2165.

Land (Surrender to the Crown) Bill, 5098, 5126.


Liquor Control Commission—Location, 4159.

Lotteries Gaming and Betting (Amendment) Bill, 560, 572, 1249.


Medical Practitioners Bill, 2627, 2744, 2894, 2895, 2896.

Melbourne and Metropolitan Board of Works—Maroondah dam, 4366. Werribee sewerage farm, 4573. Takeover of Werribee water supply, 5242.


Nursing—Committee of inquiry, 353.

Oil Industry—Fatal accidents at installations, 352.

Parliamentary Superannuation Bill, 5085, 5107.

Phillip Island—Rates, 1511.

Pipelines (Amendment) Bill, 5241, 5246, 5406.

Pollution—Parker report on water pollution at Altona, 447.

Pre-school Centres—In Melbourne Province, 562. In Doutta Galla Province, 4784.

Public Service (Amendment) Bill, 1254, 1352.

Racing (Amendment) Bill, 3157, 3321, 3703.

River Improvement (Amendment) Bill, 560, 564.

Scaffolding Bill, 5104.

Science Museum of Victoria Bill, 356, 379, 770, 969.

Sewerage Districts (Amendment) Bill, 1373, 1377.

Snowy Mountains Engineering Corporation (Victoria) Bill, 4157, 4291, 4707, 4708, 4709, 4793.

Stamps (Receipt Duty Abolition) Bill, 1510.

State Development Bill, 3148, 3166, 3723, 3725.

State Development, Department of—Services and personnel: Government directive, 3851. Closure of flour mill at Kerang, 3851, 4160. Location of premises, 4159.

Stock (Artificial Breeding) (Amendment) Bill, 3803.
Supply (July to September) Bill, 5416.
Totalizer Agency Board—Payment of dividends after last race, 4468.
Tourism—Advertising, 1343.
Travel Agencies—Registration, 862, 2153, 4574. Activities, 2153.
Water (Amendment) Bill, 1552, 1629, 2289.
Water (Further Amendment) Bill, 2738, 2526, 2536, 2648, 2650, 2651.
Werribee Water Supply—Adequacy, 5241.
Takeover by Melbourne and Metropolitan Board of Works, 5242.
Wilson’s Promontory National Park—Destruction of introduced wildlife, 354.
Species of animal life, 354.
Workers Compensation Boards—Cases pending, 3855.

Discharged Servicemen’s Preference (Amendment) Bill—Received from Assembly and first reading, 458; second reading, 566, 988; remaining stages, 989.


Divisions—
Capital Punishment—On motion for appointment of Select Committee, 4700.
Criminal Appeals Bill—On second-reading motion, 3154. On clause 2, as amended, 3179.
Department of Health—On motion for adjournment of House to discuss sale of bromureides, 5098.
Footwear Regulation Bill—On amendment to clause 3, 1262. On amendments to clause 4, 1264, 1265. On motion “That the Council do not insist on their amendments disagreed with by the Assembly”, 3643.
Gas Franchises Bill—On new clause, 3517.

Hospitals and Charities Commission—On motion for adjournment of House to discuss provision of funds for institutions, 4189.
Labour and Industry (Equal Pay) Bill—On second-reading motion, 4482.
Land Dealings in City of Melbourne—On motion for adjournment of House, 3014.
Land Tax Bill—On clause 3, 3450.
Local Government (Further Amendment) Bill—On clause 17, 4511. On amendment to clause 4, 4600.
Members—On motion for adjournment of debate on qualification of a member, 90. On motion for referral to Court of Disputed Returns, 90.

Metropolitan Fire Brigades (Amendment) Bill—On amendment to clause 7, 2273.
Money Lenders (Prescribed Interest) Bill—On second-reading motion, 2179.
Motor Car (Driving Offences) Bill—On amendments to clause 7, 5308, 5309.
National Parks Bill—On second-reading motion, 3767.

Pipelines (Amendment) Bill—On amendment to clause 2, 5406.
Racing (Amendment) Bill—On clause 13, 3708.

Scaffolding Bill—On amendment to clause 5, 5271. On amendment to clause 14, 5272. On amendments to clause 15, 5273.

Stamps Bill—On clause 7, 1868.
State Development Bill—On second-reading motion, 3723.

Summary Offences (Trespassers) Bill—On clause 2, 3789.
Supply (July to September) Bill—On second-reading motion, 4839.
Teaching Service (Tribunal) Bill—On second-reading motion, 2888. On clause 2, 2891.
Divisions—continued.

Urban Renewal Bill—On amendment to clause 4, 2556.
Vagrancy (Insufficient Means) Bill—On second-reading motion, 4694.
Westernport Development Bill—On second-reading motion, 2428.

Dog Bill—Introduction and first reading, 96; second reading, 102, 1870; Committee, 1875, 2005; remaining stages, 2011. Assembly amendment dealt with, 3689.


Dunn, Hon. B. P. (North-Western Province). 
Address—in-Reply, 459.
Air Services—in country areas, 2849.
Albert Park Land Bill, 4794.
Barley Marketing Bill, 4604.
Commercial Goods Vehicle Act—Road maintenance charges on primary producers' vehicles, 4364, 5132.
Consolidated Revenue (Supply—October to December, 1970) Bill, 360.
Co-operative Housing Societies (Amendment) Bill, 680.
Country Roads Board—Tip-truck operators, 1858.
Decentralization—Advantages, 460. Assistance to industries, 1240.
Firearms Bill, 4376.
Fishes and Wildlife Branch—Commercial fishing in River Murray, 4277.
Geelong Waterworks and Sewerage (Rates) Bill, 5129.
Hairdressers Registration (Amendment) Bill, 2545.
Handicapped People—Motor vehicle registration concessions, 1780.
Health, Department of—Pre-schools: Administration, 5131; expenditure, 5131; maintenance subsidies, 5131; suggested inquiry, 5131.
Hospitals and Charities Commission—Provision of funds for institutions, 4187.

Dunn, Hon. B. P.—continued.

Juries (Compensation) Bill, 1899.
Labour and Industry (Amendment) Bill, 2191.
Motor Car (Driving Offences) Bill, 5299, 5308.
Motor Vehicles—Fitting of seat belts, 4277.
Municipalities—Government subsidies, 461.
Parliament House—Maintenance, 5132.
Police Department—Crime rate in Victoria, 460.
Pollution—By motor vehicles, 459.
Price Control—Suggested introduction, 5242.
Primary Industries—Need for assistance, 462. Road maintenance charges, 463, 4364, 5132. Rural reconstruction scheme, 5133.
Public Transport—Expenditure, 460.
Public Works and Services Bill, 3349.
Public Works Department—Warracknabeal offices, 4911. Tenders in country districts, 5132. Renovations to Warracknabeal High School, 5132.
Railways Lands Bill, 2768.
Railway Works and Services Bill, 3035.
Registration of Births Deaths and Marriages (Amendment) Bill, 1519.
Revocation and Excision of Crown Reservations Bill, 2036.
River Entrance Docks Railway Construction Bill, 1892.
Road Traffic (Road Safety and Traffic Authority) Bill, 3162.
Soil Conservation and Land Utilization (Amendment) Bill, 5112.
State Development Bill, 3716.
State Finance—Priorities of expenditure, 5132.
Supply (July to September) Bill, 5131.
Victorian Railways—Freight charges on wheat, 462.
Water Supply Works and Services Bill, 2646.
Wheat Marketing (Amendment) Bill, 2028.
Dunn, Hon. B. P.—continued.

Wheat Marketing (Special Quotas) Bill, 18.
Wheat Quota Review Committee—Appeals, 3444. Special quotas, 3856.

E.

East Melbourne Land Bill—Received from Assembly, 2426; declared a private Bill, 2426; motion to treat as public Bill agreed to, 2426; first reading, 2426; second reading, 2526, 2653; Committee, 2654; remaining stages, 2655.

Eddy, Hon. R. J. (Doutta Galla Province).

Address-in-Reply, 685.
Country Roads Board—Clifton Hill-Craigieburn freeway, 4161.
Crown Land—In parishes of Derril and Flowerdale, 2044.
Geelong Land (Special Grant) Bill, 4377.
Government Departments—Reduction in expenditure, 5424.
Health, Department of—"Coach Special Brew", 4003, 4161.
Hospitals and Charities Commission—Hospital finances, 5426. Receipts from Tattersalls and Totalizator Agency Board, 5426.
Housing Commission—Tiling contracts, 5242.
Labour and Industry (Equal Pay) Bill, 4480.
Melbourne University Land Bill, 5109.
Municipal Association (Amendment) Bill, 4375.

Eddy, Hon. R. J.—continued.

Nonferral Pty. Ltd.—Emission of fumes, 1511.
Poker Machines—Government policy, 4275.
Police Department—Accidents involving police vehicles, 3443. Strength of force, 4005. Death of Mr. N. Collingburn, 4689.
Presbyterian Church of Australia Bill, 4803.
Pre-school Centres—in Doutta Galla Province, 4784.
Public Works and Services Bill, 3350.
Railways Lands Bill, 2264, 2768.
Real Estate—Equity of non-residents, 4365, 4468.
Revocation and Excision of Crown Reservations Bill, 2034.
Road Traffic (Road Safety and Traffic Authority) Bill, 3185.
Social Welfare Bill, 3669.
Summary Offences (Trespassers) Bill, 3785, 3786.
Supply (July to September) Bill, 5424.
Tattersalls—Contributions to Hospitals and Charities Commission, 5426.
Teacher Housing Bill, 3041.
Teaching Service (Tribunal) Bill, 2878.
Totalizator Agency Board—Contributions to Hospitals and Charities Commission, 5426.
Transfer of Land (Duplicate Certificates) Bill, 4376.
Victorian Railways—Sunday services, 4159.

Education—Expenditure, 371, 469, 4942.
Education—continued.

(qn.) 4362; liability of teachers, (qn.) 4362. Science blocks, libraries and assembly halls, (qn.) 4574. Payment to teachers of national wage increase, 4613. Need for assistance to parish schools, 5425.

Education Department—continued.


Group School—Quambatook, (qn.) 4910.


Housing—For teachers, 461. Residence at Omeo, (qn.) 4364.

Land—At Rosedale estate, Chartwell, (qn.) 5086.

Migrant Children—At primary schools in Melbourne West Province, (qn.) 350, (qn.) 445, 1631. At schools in Footscray area, 4938.


Pupils—Attending high schools, 4943. Matriculation students, 4943.

School Dental Service—in western suburbs, 1641.

School Sites—Playing areas, 7, 26.

Special School—North Footscray, (qn.) 92.
Education Department—continued.


Transport of Scholars—School bus services, 5421, 5431. Students' travelling allowances, 5422.

(See also "Audit (Recovery of Overpayments) Bill," "Teacher Housing Bill," "Teachers Tribunal" and "Teaching Service (Tribunal) Bill.")

Ehrenhaus Retail Bottled Liquor Licence Bill—Received from Assembly, 5085; declared a private Bill, 5085; motion to treat as public Bill agreed to, 5085; first reading, 5085; second reading, 5108; remaining stages, 5109.

Electoral—Lowering of voting age, 8. Hours of voting, 8, 25. Indication of party affiliation of candidates, 25. Adjust-

Electoral—continued.

ment of province boundaries, 1641. Enrolments in provinces and electoral districts, (qn.) 4467.

Elliot, Hon. D. G. (Melbourne Province).

Abolition of Capital Punishment Bill, 2041.

Aboriginal Lands Bill, 2756, 2761, 2762, 2763, 2764, 2765.

Address-in-Reply, 1073.

Agriculture, Department of—Use of hydatid strips, 33.

Alcoa of Australia (W.A.) N.L. Bill, 5027.

Audit (Recovery of Overpayments) Bill, 5274, 5278, 5291.

Automation—Effects, 1078.

Barley Marketing Bill, 4602.

Commonwealth Constitution—Proposed amendment, 871.

Consolidated Revenue (Supply—July to September, 1970) Bill, 32.

Consolidated Revenue (Supply—October to December, 1970) Bill, 359.

Crimes (Inhumane Punishments Abolition) Bill, 4725.

Detergents—Effect on streams, 1073.

Discharged Servicemen's Preference (Amendment) Bill, 988.


Environment Protection Bill, 3354, 3483, 3485, 3489, 3490, 3492, 3493, 3497, 3499, 3500, 3503.

Fertilizers and Stock Foods (Labelling) Bill, 970.

Flemington Racecourse—Use as school sports area, 4160, 4941.

Footwear Regulation Bill, 1261, 3641.

Gas and Fuel Corporation (Geelong Gas) Bill, 4843, 4848.

Geelong Gas Company—Sale of shares, 4733.

Geelong Waterworks and Sewerage (Rates) Bill, 5129.

Health, Department of—Sale of bromureides, 5096.

Health (Tuberculosis Arrangement) Bill, 4800.
LEGISLATIVE COUNCIL.

Elliot, Hon. D. G.—continued.

Howard Florey Institute of Experimental Physiology and Medicine Bill, 4924.
Immigration—Visa forms, 1074.
Imperial Acts Application (Repeals) Bill, 5248.
Joint Select Committee (Meat Industry) Bill, 22, 23.
Juries (Compensation) Bill, 1899.
Labour and Industry (Amendment) Bill, 2187, 2189, 2292, 2293, 2295.
Land Conservation Bill, 1888.
Liquor Control (Amendment) Bill, 5285, 5287.
Litter (Proceedings for Offences) Bill, 4013, 4017.
Local Government (Further Amendment) Bill, 4505.
Medical Practitioners Bill, 2893, 2895.
Melbourne Wholesale Fruit and Vegetable Market—Illicit trading in fruit and vegetables, 4612.
Members—Qualification of Mr. Walsh, 85.
Resignation of Mr. Hamer, 4033.
Methodist Church (Victoria) Property Trust Bill, 1788, 1870.
Motor Car (Safety) Bill, 3463.
Municipalities—Subsidies for beach maintenance, 360.
National Parks Bill, 3764.
New Broken Hill Consolidated Limited Bill, 4931.
Petrol Service Stations—Financial position, 93. Trading hours, 1074.
Point Ormond—Proposed restaurant, 1552.
Pollution—Effect of detergents, 1073.
Port Phillip Bay—Condition of beaches, 359.
Primary Industries—Economic conditions, 1079.
Probate Duty Bill, 2768.
Public Transport—In metropolitan area, 1076.
Public Works Department—Maintenance of school buildings, 1075.
Railway Works and Services Bill, 3040.
River Improvement (Amendment) Bill, 1249.
Seeds Bill, 4592.

Elliot, Hon. D. G.—continued.

Social Welfare Bill, 3447, 3646, 3664, 3673, 3674, 3675, 3676, 3677, 3678, 3679, 3680, 3681, 3682, 3683, 3684, 3685, 3686, 3687, 3688, 3689.
Social Welfare Department—Suggested emergency bureaux, 1077.
Stamps (Credit Business) Bill, 5288, 5289.
State Development Bill, 3720.
State Film Centre—Publicity, 32.
State Library—Closure at week-ends, 4941.
State Rivers and Water Supply Commission—Retrenchment of employees at Shepparton, 698. Staff retrenchments, 4941.
Statute Law Revision Bill, 4598.
Statute Law Revision Committee—Report presented: Recovery of civil debts, venue and enforcement of fines in Magistrates' Courts, 4911.
Summary Offences Bill, 594.
Summary Offences (Trespass to Farms) Bill, 1528.
Supply (July to September) Bill, 4940.
Supply (Supplementary Estimates) Bill, 5407.
Teaching Service (Tribunal) Bill, 2877, 2881.
Totalizator Agency Board—Lost betting tickets, 4940.
Tourism—Advertising, 1343.
Travel Agents—Investigation, 2153.
Registration, 2153, 2154.
Trustee Companies (Equity Trustees) Bill, 5032.
Urban Renewal Bill, 2422, 2557.
Victorian Inland Meat Authority (Amendment) Bill, 595.
Victorian Railways—Club car for Overland express, 33. Underground loop, 1076.
Water (Amendment) Bill, 2286.
Water (Further Amendment) Bill, 3157, 3160.
West Melbourne Market Land (Amendment) Bill, 783.
Wool Industry—Economic position, 1078.
Workers Compensation—South Australian legislation, 4940.
Employers and Employés (Attachment of Wages) Bill—Received from Assembly and first reading, 2257; second reading, 2274, 2853; Committee, 2854, 2896; remaining stages, 2897.

Environment Protection Bill—Received from Assembly and first reading, 3001; second reading, 3018, 3454, 3467; Committee, 3460; third reading, 3502.

Equal Pay. (See "Labour and Industry (Equal Pay) Bill").

Equity Trustees Company. (See "Trustee Companies (Equity Trustees) Bill").

Evidence (Registration of Commissioners) Bill—Received from Assembly and first reading, 4832; second reading, 5025, 5413; Committee and remaining stages, 5414.

Evidence (Scientific Tests) Bill—Received from Assembly and first reading, 674; second reading, 764, 1517; remaining stages, 1518.

Extractive Industries Act—Permits, (qns.) 2628. Permit for Consolidated Quarries Ltd., (qns.) 5086. (See also "Arthur's Seat" and "Mines (Compensation) Bill").

 evidence (Scientific Tests) Bill—Received from Assembly and first reading, 674; second reading, 764, 1517; remaining stages, 1518.

Footwear Regulation Bill—Received from Assembly and first reading, 451; second reading, 565, 970; Committee, 971; third reading, 1267. Message from Assembly re Council amendments, 3637.

Forests. (See "State Forests Works and Services Bill").

Forests (Amendment) Bill—Received from Assembly and first reading, 2426; second reading, 2530, 2751; remaining stages, 2751.

Forests (Bowater-Scott Agreement) Bill—Received from Assembly and first reading, 4731; second reading, 4787, 5110; remaining stages, 5111.


Anzac Day—Payments to patriotic funds from football fixtures, 4942.

Audit (Recovery of Overpayments) Bill, 5275.

Boilers and Pressure Vessels Bill, 1516.

Consolidated Revenue (Supply—October to December, 1970) Bill, 366.

Crime—Sentences imposed by courts, 4943.

Crimes (Inhumane Punishments Abolition) Bill, 4727.


Education Department—Student teacher allowances, 367. Loss of student teachers, 367. Loss of staff at teachers' colleges, 368, 1552.

Environment Protection Bill, 3486, 3501.

Footwear Regulation Bill, 3640.

Governor—Service to State, 1647.

Health (Tuberculosis Arrangement) Bill, 4803.
Fry, Hon. W. G.—continued.

Housing (Amendment) Bill, 2899.
Institute of Applied Science—Closure at week-ends, 4942.
Litter (Proceedings for Offences) Bill, 4015.
Local Authorities Superannuation (Disability Benefits) Bill, 2262.
Local Government (Further Amendment) Bill, 4392, 4494, 4500, 4502, 4510.
Motor Car (Driving Offences) Bill, 5300, 5309.
Motor Car (Safety) Bill, 3460, 3507.
Motor Vehicles—Fitting of seat belts, 366.
National Museum—Closure at week-ends, 4942.
President, The—Election, 71.
Road Safety and Traffic Authority—Engineering section, 2741.
Road Toll—Suggested methods for reduction, 1650.
Road Traffic (Road Safety and Traffic Authority) Bill, 3164.
Social Welfare Bill, 3661.
Supply (July to September) Bill, 4942.
Swimming Pools—Deaths of children, 5312.
Teacher Housing Bill, 3049.
Teaching Service (Tribunal) Bill, 2879, 2881.
Town and Country Planning (Amendment) Bill, 5102.
Urban Renewal Bill, 2555.
Workers Compensation Bill, 3774.

Fruit and Vegetables—Illicit trading, 4612.
(See also "Melbourne Wholesale Fruit and Vegetable Market" and "West Melbourne Market Land (Amendment) Bill.")

Abolition of Capital Punishment Bill, 96, 658, 2038, 2040.
Appeal Costs Fund Bill, 5411, 5412.
Arthur's Seat—Quarrying operations, 5420, 5430.
Capital Punishment—Proposed appointment of Select Committee, 2043, 2044, 4469, 4476.
Christmas Felicitations, 3798.
Civil Aviation (Carriers' Liability) Bill, 771, 776.
Clerk—Assistant—Retirement of Mr. J. J. P. Tierney, 94. Appointment of Mr. G. N. H. Grose, 94.
Commonwealth Constitution—Proposed amendment, 670, 864.
Commonwealth Pay-roll Tax—Non-payment by Victoria, 373.
Consolidated Revenue (Supply—October to December, 1970) Bill, 357, 373.
Constitution Act Amendment (Responsible Ministers) Bill, The, 2638.
Constitution (Member's Qualification) Bill, The, 4791, 5414, 5415.
County Court (Jurisdiction) Bill, 5280, 5283.
Crimes (Amendment) Bill, 972, 973, 974, 1246.
Crimes (Inhumane Punishments Abolition) Bill, 3857, 4277, 4484, 4485, 4721, 4725, 4726, 4730.
Criminal Appeals Bill, 2404, 3148, 3157, 3178, 3179.
Crown Proceedings (Forfeited Recognisances) Bill, 4813, 5099, 5100.
Employers and Employés (Attachment of Wages) Bill, 2853, 2855, 2856, 2897.
Environment Protection Bill, 3491, 3500, 3502.
Evidence (Registration of Commissioners) Bill, 5413.
Evidence (Scientific Tests) Bill, 1517.
Extractive Industries Act—Permits, 2628.
Footwear Regulation Bill, 1259, 1261, 1263, 1264, 1266, 1267.
Gas and Fuel Corporation (Geelong Gas) Bill, 4842, 4847, 4848.
Galbally, Hon. J. W.—continued.

Health, Department of—Sale of bromureides, 5089, 5403, 5404.
Hospitals and Charities Commission—Provision of funds for institutions, 4181.
Justices (Bail and Appeals) Bill, 2655.
Justices (Service of Summons) Bill, 4296.
Labor Party—Leadership, 93.
Labour and Industry (Equal Pay) Bill, 97, 1344.
Land Dealings in City of Melbourne, 3001, 3005, 3009.
Land (Surrender to the Crown) Bill, 5289.
Leadership of Labor Party, 93.
Legal Profession Practice (Amendment) Bill, 1896.
Litter (Proceedings for Offences) Bill, 4017.
Local Government (Further Amendment) Bill, 4508.
Maintenance (Amendment) Bill, 2751.
 Marketable Securities (Amendment) Bill, 2753.
Ministry, The—Changes, 4156.
Motor Car (Driving Offences) Bill, 5306.
Motor Car (Safety) Bill, 3456, 3466, 3506.
Parliamentary Salaries Bill, 3796.
Public Parks—In metropolitan area, 5087, 5421.
Public Trustee (Amendment) Bill, 5260, 5263.
Racing (Amendment) Bill, 3697, 3698.
Right of Privacy Bill, 97.
Securities Industry (Amendment) Bill, 3327, 3329.
Social Welfare Bill, 3654, 3656.
Stamps Bill, 1864, 1867, 1868, 1869.
Stamps (Receipt Duty Abolition) Bill, 2281.
State Development Bill, 3708.
Summary Offences Bill, 586, 592.
Summary Offences (Trespassers) Bill, 3775, 3784.
Supply—Availability of Budget documents, 357.
Supply (July to September) Bill, 5420, 5430.
Survey Co-ordination (Place Names) Bill, 4919, 4920.
Teaching Service (Tribunal) Bill, 2876, 2880, 2889, 2890.

Galbally, Hon. J. W.—continued.

Town and Country Planning (Amendment) Bill, 5030.
Trustee Companies (Perpetual Trustees Australia Limited) Bill, 1254.
Urban Renewal Bill, 2420.
Vagrancy (Insufficient Means) Bill, 3857, 4021, 4288, 4694, 4932, 4936.
Victoria Institute of Colleges (Amendment) Bill, 5029.
West Gate Bridge Disaster—Condolences, 977.
West Gate Bridge Royal Commission Bill, 976, 977, 983.
Workers Compensation Bill, 3768.
Workers Compensation (Common Law Claims) Bill, 962, 1059, 1061, 4482.
Wrongs (Industrial Accidents) Bill, 356.
Yarra River—Suggested system of locks, 5420.
Yarra Valley—Suggested declaration as national park, 5420.

Garrett, Hon. R. W. (Templestowe Province). (See “President, The (Hon. R. W. Garrett).”)
Gas, Liquid—Loading at Williamstown and Westernport, (qn.) 761.

Gas, Natural—Pipeline from Sale to Sydney, (qn.) 349. Conversion difficulties, (qn.) 561.

Geelong Gas Company—Sale of shares, 4733, 4807. (See also "Gas and Fuel Corporation (Geelong Gas) Bill.")

Geelong Harbor Trust—Dumping of grain, (qn.) 2630.

Geelong Land (Special Grant) Bill—Received from Assembly and first reading, 4157; second reading, 4290, 4377; remaining stages, 4378.

Geelong Waterworks and Sewerage (Rates) Bill—Received from Assembly and first reading, 5099; second reading, 5128; Committee, 5130, 5263; remaining stages, 5264.


Gleeson, Hon. S. E. (South-Western Province).

Government Departments—Reduction in expenditure, 4835, 5424. (See also "Audit (Recovery of Overpayments) Bill.")


Grain Elevators Board—Payments to members, (qn.) 3850.

Granite—Use of deposits in Casterton district, 472.

Granter, Hon. F. J. (Bendigo Province).
INDEX.

Granter, Hon. F. J.—continued.

State Rivers and Water Supply Commission—Irrigators on Coliban system, 1239.
Summary Offences (Trespass to Farms) Bill, 1524.
Supply (July to September) Bill, 5136.
Water (Amendment) Bill, 2288.

Grassmere Land Bill—Received from Assembly and first reading, 5098; second reading, 5127, 5404; remaining stages, 5405.

Grimwade, Hon. F. S. (Bendigo Province).
Address-in-Reply, 888.
Agriculture, Department of—Suggested appointment of officer to investigate marketing of livestock, 5145.
Consolidated Revenue (Supply—October to December, 1970) Bill, 363.
Council for Christian Education in Schools—Government grant, 5139.
Crimes (Inhumane Punishments Abolition) Bill, 4728.
Education Department—Taxation concession for donations to schools, 351.
Selection of applicants for teaching studentships, 5139. Higher school certificate, 5139. Appointment of chaplains to schools, 5139.
Farmers—Financial position, 889, 893.
Municipal rates, 892. Education, 893.
Suggested subsidy on wool, 894.
Governor—Service to State, 888.
Hospitals and Charities Commission—Hospital finances, 5141, 5409.
Land (Amendment) Bill, 2164.
Land Conservation Bill, 1890.
Libraries—Staff training courses, 2382.
Local Government (Further Amendment) Bill, 4391.
Meat Industry—Exports to United States of America, 890.
Primary Industries—Management methods, 891.
Soil Conservation and Land Utilization (Amendment) Bill, 5114.

Grimwade, Hon. F. S.—continued.

Summary Offences (Trespass to Farms) Bill, 1525.
Supply (July to September) Bill, 5139, 5145.
Supply (Supplementary Estimates) Bill, 5409.
Transport Inquiry, 892.
Victorian Railways—Responsibility for bridges on former railway lines, 363. Freight on wool, 891.
Water Supply Works and Services Bill, 2649.

Gross, Hon. K. S. (Western Province).
Address-in-Reply, 8.
Commonwealth Wool Assistance Scheme—Qualifying conditions, 4366.
Education Department—Decentralization of administration, 9.
Fisheries (Amendment) Bill, 4814.
Governor—Service to State, 8.
Labour and Industry (Amendment) Bill, 2190.
Melbourne Airport—Curfew, 9.
Primary Industries—Economic conditions, 10. Subsidies, 10. Reconstruction schemes, 10.
Railway Works and Services Bill, 3041.
Seeds Bill, 4589, 5292, 5293.
Social Behaviour—Demonstrations and protests, 9.
Wheat Industry—Quota system, 10.
Wheat Marketing (Amendment) Bill, 2024.
Wool Industry—Commonwealth wool assistance scheme: Qualifying conditions, 4366.

Groundwater (Amendment) Bill—Received from Assembly and first reading, 560; second reading, 564, 984; Committee, 985, 1895; remaining stages, 1896.
Hairdressers Registration (Amendment) Bill—Received from Assembly and first reading, 1536; second reading, 1625, 2545; Committee, 2546; remaining stages, 2547.

Hamer, Hon. R. J.—continued.


Hire Purchase (Insurance) Bill, 2267, 2274, 2752.

House Committee—Council members appointed, 90.

Infant Welfare Centres—Subsidies, 759.

Judges' Pensions (Amendment) Bill, 348, 375.

Juries (Compensation) Bill, 1274, 1354.

Justices (Bail and Appeals) Bill, 2426, 2527, 2657.

Land Conservation Bill, 655.

Land Dealings in City of Melbourne, 3003, 3008, 3009, 3012.

Law Department—Kyabram court house, 962.

Legal Profession Practice (Amendment) Bill, 1267, 1354.

Library Committee—Council members appointed, 91.

Litter (Proceedings for Offences) Bill, 3803, 3805, 4016, 4018.


Local Authorities Superannuation (Disability Benefits) Bill, 1862, 2257, 2261, 2262.

Local Government Department—Services and personnel: Government directive, 3856.

Local Government (Further Amendment) Bill, 3803, 3808, 3818.

Maintenance (Amendment) Bill, 2181, 2264.

Marketable Securities (Amendment) Bill, 2281, 2382, 2755.

Meat Industry Committee—Council members appointed, 91.

Melbourne Airport—Zoning of surrounding areas, 349. Land usage, 1244.


Melbourne and Metropolitan Board of Works Bill, 1677, 1862, 2634, 2635, 2637, 3637.
Hamer, Hon. R. J.—continued.


Hamilton, Hon. H. M. (Higinbotham Province).
LEGISLATIVE COUNCIL.

Hamilton, Hon. H. M.—continued.

Health, Department of—Sale of bromureides, 5404.
Hospitals and Charities Commission—Provision of funds for institutions, 4187.
Melbourne Underground Rail Loop Bill, 2390.
Monash University—Teaching appointment of Mr. Albert Langer, 961. Disciplined students receiving allowances, 1512.
Motor Car (Driving Offences) Bill, 5302.
Motor Car (Safety) Bill, 3457.
President, The—Election, 71.
Probate Duty Bill, 2771, 2772.
Public Account Bill, 1903.
Public Works and Services Bill, 3351.
River Entrance Docks Railway Construction Bill, 1893.
Road Safety Committee—Scope of inquiry, 1671.
Road Toll—Suggested methods for reduction, 1671.
Road Traffic (Amendment) Bill, 780.
Social Welfare Bill, 3688.
Strikes—Economic effects, 1673. Effects on trade union movement, 1676.
Supply (July to September) Bill, 4945.
Urban Renewal Bill, 2549.
Working Week—Effect of 35-hour week, 1670.

Handicapped People—Motor vehicle registration concessions, (qn.) 1780.

Hauser, Hon. V. T. (Boronia Province).
Address-in-Reply, 476.
Capital Punishment — Proposed Select Committee, 4472, 4475.
Commonwealth-State Relations—Finance, 688. Effect on universities, 691.
Crimes (Inhumane Punishments Abolition) Bill, 4482, 4484, 4485.
Management Education — Post-graduate studies, 1861.

Hauer, Hon. V. T.—continued.

Marketable Securities (Amendment) Bill, 2754.
Mines (Compensation) Bill, 2766.
Personal Explanation—Sale of shares in Geelong Gas Company, 4807, 4808, 4809, 4810.
Securities Industry (Amendment) Bill, 3327.
Summary Offences (Trespassers) Bill, 3787.

Health (Tuberculosis Arrangement) Bill—Received from Assembly and first reading, 4488; second reading, 4580, 4800; Committee and remaining stages, 4803.

Heart Disease—Effects of polysaturated fats, 5137, 5142.

Hewson, Hon. H. A. (Gippsland Province).
Consolidated Revenue (Supply—July to September, 1970) Bill, 34.
Decentralization—Decline of country industries, 35.
Natural Resources—Use of, 35.
Retirement, 39.

Hider, Hon. C. A. M. (Monash Province).
Address-in-Reply, 476.
Building Societies (Amendment) Bill, 4828.
Conservation—Of natural resources and buildings, 478.
Crimes (Inhumane Punishments Abolition) Bill, 4720, 4721, 4727.
Pollution—Control, 477.
Social Welfare Bill, 3659.
Summary Offences (Trespassers) Bill, 3786.
Supply (July to September) Bill, 5032.
Town Planning—Proposals for city square in Melbourne, 5033.

Hire Purchase (Insurance) Bill—Received from Assembly and first reading, 2267; second reading, 2274, 2752; Committee, 2752; remaining stages, 2753.

Home Finance (Amendment) Bill—Received from Assembly and first reading, 348; second reading, 451, 672; Committee, 673; remaining stages, 674.
Horse-racing—Future of Mentone and Epsom racecourses, (qn.) 560. Calcutta sweepstakes on Caulfield and Melbourne cups, (qn.) 658. Allocation of mid-week racing days, 1641. (See also "Bookmakers' Betting Tax," "Lotteries Gaming and Betting Bill," "Racing (Amendment) Bill" and "Totalizator Agency Board.")


Hospitals Superannuation (Amendment) Bill—Received from Assembly and first reading, 560; second reading, 567, 1252; Committee, 1253; remaining stages, 1254.

Houghton, Hon. W. V. (Templestowe Province).

Address-in-Reply, 1641.

Electoral—Adjustment of province boundaries, 1641.

Environment Protection Bill, 3494.

Footwear Regulation Bill, 1267.

Governor—Extension of term, 1641.

Heart Disease—Effects of polysaturated fats, 5137.

Horse-racing—Allocation of mid-week racing days, 1641.

Land Conservation Bill, 1885, 1888.

Liquor Control (Amendment) Bill, 5287.

Melbourne and Metropolitan Board of Works—Effect of land acquisitions on municipalities, 2153. Maroondah dam, 4366.

Houghton, Hon. M. V.—continued.

Melbourne Underground Rail Loop Bill, 2401.

National Parks—Proposed national park at Warrandyte, 5137.

National Parks Bill, 3768.


Questions on Notice, 2152.

River Improvement (Amendment) Bill, 1250.

Stock (Artificial Breeding) (Amendment) Bill, 3864.

Supply (July to September) Bill, 5136.

Victorian Inland Meat Authority (Amendment) Bill, 597.

Yarra Glen Racing Club—Loss of mid-week racing days, 1642.

Yarra Valley—Development, 5136.

House Committee—Council members appointed, 4, 90.

Housing—High-rise developments, 26, 1658. In country areas, 28. Rent control, 30. Co-operative housing societies' finance, 1658. (See also "Building Industry," "Building Societies (Amendment) Bill," "Co-operative Housing Societies (Amendment) Bill," "Home Finance (Amendment) Bill," "Teacher Housing Bill" and "Urban Renewal Bill.")

Housing (Amendment) Bill—Received from Assembly and first reading, 2005; second reading, 2156, 2652, 2860, 2897; Committee, 2898; remaining stages, 2900.

Housing Commission—


Land—In Berwick and Cranbourne, (qn.) 4275.

Rents—For pensioners, 2298.

Slum Reclamation—In Prahran, (qn.) 656. (See also "Urban Renewal Bill.")
Howard Florey Institute of Experimental Physiology and Medicine Bill—Received from Assembly, 4832; declared a private Bill, 4832; motion to treat as public Bill agreed to, 4832; second reading, 4920; remaining stages, 4925.

Hunt, Hon. A. J. (South-Eastern Province).
Alcoa of Australia (W.A.) N.L. Bill, 4953.
Appeal Costs Fund Bill, 4709, 4791, 5412.
Architects (Amendment) Bill, 585.
Arthur’s Seat—Quarrying operations, 5429.
Declaration as scenic area, 5429.
Chairman of Committees—Election of Mr. Nicol, 90.
Coal Mines (Pensions) Bill, 4832, 4917, 5123.
Commercial Goods Vehicles Act—Road maintenance charges on primary producers’ vehicles, 4364.
Constitution Act Amendment (Disqualification) Bill, The, 450, 451, 677.
Constitution (Member’s Qualifications) Bill, The, 4690, 4790, 4791, 5415.
Country Roads Board—Newport over-pass, 4572.
County Court (Jurisdiction) Bill, 4731, 4788, 5282, 5284, 5285.
Crimes (Inhumane Punishments Abolition) Bill, 4484, 4725, 4726, 4730.
Criminal Appeals Bill, 3153, 3157.
Environment Protection Bill, 3505.
Evidence (Registration of Commissioners) Bill, 4832, 5025, 5414.
Evidence (Registration of Witnesses) Bill, 4575, 4800, 4818, 4820, 4821, 4822, 4832.
Gas and Fuel Corporation—Charges for Heatane gas, 5244.
Environment Protection Bill, 3505.
Evidence (Registration of Witnesses) Bill, 4832, 5025, 5414.
Fisheries (Amendment) Bill, 4575, 4800, 4818, 4820, 4821, 4822, 4832.
Gas and Fuel Corporation—Charges for Heatane gas, 5244.
Justice (Bail and Appeals) Bill, 2657.
Land Dealings in City of Melbourne, 3006.
Litter (Proceedings for Offences) Bill, 4015.
Local Authorities Superannuation (Disability Benefits) (Commencement) Bill, 4575, 4700, 4805.
Local Government Act—Complaints alleging offences by councillors of Hastings Shire Council, 4365.
Local Government (Further Amendment) Bill, 4385, 4392, 4494, 4495, 4498, 4499, 4500, 4501, 4503, 4506, 4509, 4512, 4513, 4599, 4600, 4601, 5310.
Local Government (Municipalities Assistance Fund) Bill, 4362, 4379.
Melbourne Airport—Development of land at Tullamarine, 5244.
Hunt, Hon. A. J.—continued.
Melbourne and Metropolitan Board of Works—Cowderoy Street, West St. Kilda, drain, 4910. Elwood Canal, 4910.
Ministry, The—Changes, 4157.
Money Lenders (Prescribed Interest) Bill, 2178.
Motor Car (Driving Offences) Bill, 5241, 5249, 5296, 5307, 5308, 5309, 5310.
Municipal Association (Amendment) Bill, 4376.
Municipalities—Valuations in Shire of Korong, 4367.
Newmarket Sale-yards—Stock sales, 4365.
Primary Producers—Road maintenance charges, 4364. Fire-fighting units, 4690.
Scaffolding Bill, 5085, 5269, 5271, 5272.
Statute Law Revision Bill, 4368, 4492, 4598.
Subordinate Legislation (Powers) Bill, 4367, 4380, 4609.
Superannuation (Railway Service) Bill, 4598, 4609, 4612.
Superannuation (Transitional Provisions) Bill, 4925.
Supply (July to September) Bill, 5429.
Swimming Pools—Deaths of children, 5312.
Town and Country Planning (Amendment) Bill, 4785, 4926, 5102.
Trustee Companies (Equity Trustees) Bill, 4731, 4795, 4806.
Vagrancy (Insufficient Means) Bill, 4284, 4289, 4695, 4934.
Valuer-General’s Office—Valuations in Shire of Korong, 4367.
Victorian Railways—Sleeping cars on Melbourne-Mildura line, 5244.
Western Port Regional Planning Authority—Industrial Development Advisory Council, 5087. Report on industrial development, 5088.

I.
Immigration—Australian visa form, 1074.
Imperial Acts Application (Repeals) Bill—Report of Statute Law Revision Committee, 4189. Received from Assembly.
Imperial Acts Application (Repeals) Bill—continued.
and first reading, 5241; second reading, 5247; Committee and remaining stages, 5249.

Industrial Co-ordination Conference—Members, establishment, powers and terms of reference, (qn.) 355.

Infant Welfare Centres. (See "Municipalities.")

Inhumane Punishments. (See "Crimes (Inhumane Punishments Abolition) Bill.")

Institute of Applied Science— Closure at week-ends, 4942.

J.

Jenkins, Hon. O. G. (South-Western Province).
Address-in-Reply, 695.
Apex—Anniversary of foundation, 695.
Building Societies (Amendment) Bill, 4825.
Children's Traffic Schools—Operation, 1342. Use, 1342.
Country Roads (Amendment) Bill, 4010.
Decentralization—Desirability, 696.
Geelong Land (Special Grant) Bill, 4377.
Geelong Waterworks and Sewerage (Rates) Bill, 5129.
Land Tax Bill, 3449.
Legal Profession Practice (Amendment) Bill, 1897.
Local Government (Further Amendment) Bill, 4384, 4504.
Members—Tribute to Mr. Thom, 695.
Public Works and Services Bill, 3350.
Railway Works and Services Bill, 3040.
Transportation—Inquiry, 696.

Joint Select Committee (Meat Industry) Bill—Received from Assembly and first reading, 22; second reading, 22; Committee and remaining stages, 23.

Joint Select Committee (Road Safety) Bill—Received from Assembly and first reading, 22; second reading, 23; remaining stages, 24.

375, 575, 652; appointments, 654.
Council of La Trobe University: Vacancies, 1510, 1862, 1984, 2425, 2523; appointments, 2525. Council of Victoria Institute of Colleges: Vacancies, 4157, 4367, 4488; appointments, 4730, 4782.

Judges' Pensions (Amendment) Bill—Received from Assembly and first reading, 348; second reading, 375, 766; remaining stages, 767.

Juries (Compensation) Bill—Received from Assembly and first reading, 1274; second reading, 1354, 1899; remaining stages, 1899.

Justices (Bail and Appeals) Bill—Received from Assembly and first reading, 2426; second reading, 2527, 2655; Committee and remaining stages, 2657.

Justices (Service of Summonses) Bill—Introduction and first reading, 3803; second reading, 3818, 4296; Committee and remaining stages, 4297.

K.

Kangaroos—Destruction, (qn.) 447.

Kent, Hon. D. E. (Gippsland Province).
Aboriginal Lands Bill, 2764.
Address-in-Reply, 898.
Aerial Spraying Control (Amendment) Bill, 1539.
Agriculture, Department of—Travelling allowances to dairy supervisors, 3793. Services and personnel: Government directive, 4006. Extension services, 5034.
Appropriation Bill, 3793.
Churchill Water and Sewerage Works Bill, 4378.
Commonwealth—State Financial Relations, 4838.
Kent, Hon. D. E.—continued.

Forests (Amendment) Bill, 2751.
Forests (Bowater-Scott Agreement) Bill, 5110.
Gippsland—Flood damage, 4393. Flood relief, 4838, 5034. Local government problems, 5034.
Grassmere Land Bill, 5404.
Hospitals—Financial position, 4838.
Labour and Industry (Amendment) Bill, 2191.
Latrobe Valley—Productivity, 898.
Marketing of Primary Products (Amendment) Bill, 4292.
Medical Practitioners—Registration of doctors from Newfoundland, 4467.
Members—Qualification of Mr. Walsh, 87.
Seeds Bill, 4596, 4597, 5293.
Snowy Mountains Engineering Corporation (Victoria) Bill, 4706.
Soil Conservation and Land Utilization (Amendment) Bill, 5112.
Soldier Settlement Bill, 764, 766.
State Finance—Priorities of expenditure, 4838.
State Forests Works and Services Bill, 2166.
Stock (Artificial Breeding) (Amendment) Bill, 3862.
Stock Diseases (Amendment) Bill, 2892.
Summary Offences (Trespass to Farms) Bill, 1521.
Supply (July to September) Bill, 4837, 5033.
Tomato Processing Industry (Amendment) Bill, 2275.
Vermin and Noxious Weeds (Amendment) Bill, 2532, 2533.
Victoria Institute of Colleges (Amendment) Bill, 5030.
Victorian Oat Growers Pool and Marketing Co. Ltd.—Members, 4689.
Water Supply Works and Services Bill, 2642.
Wheat Marketing (Amendment) Bill, 2033.
Wodonga Lands Exchange Bill, 2631.

Knight, Hon. A. W. (Melbourne West Province).
Abolition of Capital Punishment Bill, 2043.
Address-in-Reply, 1630.
Agriculture, Department of—Pesticide residues in milk, 5242, 5429.
Boilers and Pressure Vessels Bill, 990, 1515.
Civil Defence—Government assistance, 1638.
Coal Mines (Pensions) Bill, 5121.
Coal Mines (Pensions Increase) Bill, 1536.
Commission of Public Health—Inquiry into odours at Werribee, 4574.
Country Roads Board—Widening of Ballarat Road, Footscray, 92. Bridge between San Remo and Phillip Island, 1779. Grade separation at Millers Road, Paisley, 3854. Newport overpass, 4572.
Electoral—Enrolments in provinces and electoral districts, 4467.
Environment Protection Bill, 3467, 3495.
Environment Study of Port Phillip Bay—Report, 5085.
Extractive Industries Act—Permit for Consolidated Quarries Ltd., 5086.
Fisheries (Amendment) Bill, 4795, 4819, 4820, 4821, 4833.
Footwear Regulation Bill, 1255, 1261, 3638.
Gas and Fuel Corporation (Borrowing) Bill, 1273.

Kindergartens and Pre-school Play Centres.
(See "Department of Health.")
Knight, Hon. A. W.—continued.

Gas and Fuel Corporation (Pipelines) Bill, 5118.
Gas Franchises Bill, 3507, 3513, 3514, 3516.
Gas, Liquid—Loading at Williamstown and Westernport, 761.
Gas, Natural—Pipeline from Sale to Sydney, 349. Conversion, 561. Franchise areas, 861.
Geelong Harbor Trust—Dumping of grain, 2630.
Governor—Service to State, 1641.
Groundwater (Amendment) Bill, 984, 986.
Health, Department of—School Dental Service in western suburbs, 1641. Use of cyclamates, 3855.
Hospitals and Charities Commission—Need for additional hospital in western suburbs, 1637.
Housing Commission—Modernization of homes in western suburbs, 446.
Laverton Airfield—Use, 1640.
Lifts and Cranes (Amendment) Bill, 2560.
Melbourne Airport—Zoning of surrounding areas, 349.
Members—Qualification of Mr. Walsh, 84.
Metropolitan Fire Brigades (Amendment) Bill, 2267, 2270, 2271, 2272, 2273.
Metropolitan Fire Brigades Board—Fire at Petroleum Refineries (Australia) Pty. Ltd. plant, Altona, 4466.
Mines (Compensation) Bill, 2765.
Oil Industry—Refining of Bass Strait oil in Victoria, 352. Fatal accidents at installations, 352.
Pipelines (Amendment) Bill, 5405, 5406.

Knight, Hon. A. W.—continued.

Port Phillip Bay—Environment study, 5085.
Public Works and Services Bill, 3348.
Road Toll—Suggested methods for reduction, 1636.
Scaffolding Bill, 5264, 5269, 5270, 5271, 5272, 5273.
Sewerage Districts (Amendment) Bill, 2034.
Snowy Mountains Engineering Corporation (Victoria) Bill, 4704.
Social Welfare Bill, 3666.
State Development, Department of—Services and personnel: Government directive, 3851.
Summary Offences (Trespass to Farms) Bill, 1530.
Superannuation (Transitional Provisions) Bill, 4926.
Supply (July to September) Bill, 4937, 5429.
Travel Agencies—Activities, 1636; registration, 4574.
Victorian Airfields Committee—Recommendations, 3857.
Werribee Water Supply—Adequacy, 5241, 5429. Takeover by Melbourne and Metropolitan Board of Works, 5241.
Westernport—Wharfage and fees, 1861.
Westernport Development Bill, 2426, 2431.
Western Port Steel Works (Development Control) Bill, 3352.
Knights, Hon. A. W.—continued.

West Gate Bridge Disaster—Assistance by Footscray civil defence organization, 1638.

West Gate Bridge Royal Commission Bill, 980.


Leadership of Parties, 3, 93.

Legal Profession Practice (Amendment) Bill—Received from Assembly and first reading, 1267; second reading, 1354, 1896; remaining stages, 1899.

Libraries—Government grants, (qn.) 962, 1659. Staff training courses, (qn.) 2382. (See also “State Library.”)

Library Committee—Council members appointed, 4, 91.

Licensing Fund—Payments to Consolidated Fund, (qn.) 1058.

Lifts and Cranes (Amendment) Bill—Received from Assembly and first reading, 1896; second reading, 2013, 2560; remaining stages, 2560.

Liquid Gas—Loading at Williamstown and Westernport, (qn.) 761.

Liquor Control (Amendment) Bill—Received from Assembly and first reading, 5085; second reading, 5123, 5285; Committee, 5286; remaining stages, 5288.

Liquor Control Commission—Location of premises, (qn.) 4159.

Litter (Proceedings for Offences) Bill—Introduction and first reading, 3803; second reading, 3805, 4013; Committee, 4016; remaining stages, 4018.


Local Authorities Superannuation (Disability Benefits) Bill—Introduction and first reading, 1852; second reading, 2257; Committee, 2261; remaining stages, 2263.

Local Authorities Superannuation (Disability Benefits) (Commencement) Bill—Introduction and first reading, 4575; second reading, 4700, 4804; Committee, 4805; remaining stages, 4806.


Local Government (Further Amendment) Bill—Introduction and first reading, 3803; second reading, 3808, 4298, 4380; Committee, 4392, 4493, 4599; third reading, 4601. Assembly amendments dealt with, 5310.

Local Government (Municipalities Assistance Fund) Bill—Received from Assembly and first reading, 4362; second reading, 4379, 4794; remaining stages, 4795.

Lotteries Gaming and Betting (Amendment) Bill—Received from Assembly and first reading, 560; second reading, 572, 1247; Committee and remaining stages, 1249.

McDonald, Hon. S. R. (Northern Province).
Address-in-Reply, 1642.
Barley Marketing Bill, 4604.
Civil Aviation (Carriers’ Liability) Bill, 774.
Conservation—Flora and fauna in northern Victoria, 1644.
Country Fire Authority—Bush fire in mid-northern Victoria, 5426.
Education Department—Echuca Technical School, 4004, 4364, 5428. Liaison with Victorian Universities Admissions Committee, 5427.
Farm Water Supply Fund—Establishment, 863, 4689.
Footwear Regulation Bill, 3643.
Geelong Waterworks and Sewerage (Rates) Bill, 5130, 5264.
Governor—Service to State, 1643.
Hospitals and Charities Commission—Provision of funds for institutions, 4186, 4187. Hospital finances, 4689.
Housing Commission—Kyabram houses, 1779.
Joint Select Committee (Meat Industry) Bill, 22.
Kangaroos—Destruction, 447.

McDonald, Hon. S. R.—continued.

Labour and Industry (Amendment) Bill, 2293, 2295.
Liquor Control (Amendment) Bill, 5285.
Lotteries Gaming and Betting (Amendment) Bill, 1248.
 Marketable Securities (Amendment) Bill, 2754.
Meat Industry—Lamb and mutton trade, 1646. Marketing system, 1646.
Medical Practitioners—Recruitment from overseas, 4366.
Medical Practitioners Bill, 2893, 2894.
Melbourne University Land Bill, 5109.
Money Lenders (Prescribed Interest) Bill, 2178.
Motor Car (Fees) Bill, 3173.
Municipalities—Valuations in Shire of Korong, 862, 4367.
Police Department—Bush fire in mid-northern Victoria, 5426.
Primary Industry—Bush fire in mid-northern Victoria, 5426.
Probate Duty Bill, 2774.
Protection of Animals (Rodeos) Bill, 4374.
Second-hand Dealers (Charity Collectors) Bill, 2641.
Securities Industry (Amendment) Bill, 3327.
Seeds Bill, 4587, 4596, 4597, 5293.
Soldier Settlement Bill, 765.
State Development Bill, 3719, 3725.
Summary Offences (Trespass to Farms) Bill, 1529.
Supply (July to September) Bill, 5426.
Tariff Protection — For primary and secondary industries, 1645.
Transfer of Land (Duplicate Certificates) Bill, 4376.
Universities—Entrance standards, 5427.
Valuer-General’s Office—Land valuations: In Shire of Korong, 862, 4367; in State, 1643.
Victorian Inland Meat Authority (Amendment) Bill, 596.
Victorian Railways—Standardization of Tocumwal-Mangalore line, 447.
Victorian Universities Admissions Committee—Liaison with Education Department, 5427.
Water (Amendment) Bill, 2288.
McDonald, Hon. S. R.—continued.

Water (Further Amendment) Bill, 3159.
Water Supply Works and Services Bill, 2647.
Wheat Marketing (Amendment) Bill, 2022, 2032.
Wheat Marketing (Special Quotas) Bill, 16, 21.
Working Week—Effect of 35-hour week, 1647.

Magistrates Courts—Reports of Statute Law Revision Committee: On evidence in committal proceedings and jurisdiction, 3444; on recovery of civil debts, venue and enforcement of fines, 4911.

Maintenance (Amendment) Bill—Received from Assembly and first reading, 2181; second reading, 2264, 2751; remaining stages, 2752.

Management Education—Post-graduate studies, (qn.) 1861.

Mansell, Hon. A. R. (North-Western Province).
Address-in-Reply, 884.
Agriculture, Department of—Funds for research work, 365.
Architects (Amendment) Bill, 582, 585.
Consolidated Revenue (Supply—October to December, 1970) Bill, 365.
Constitution Act Amendment (Responsible Ministers) Bill, The, 2639.
Country Roads (Amendment) Bill, 4009.
Farmers—Financial position, 884.
Fisheries (Amendment) Bill, 4799, 4820, 4821.
Home Finance (Amendment) Bill, 673.
Hospitals and Charities Commission—Provision of funds for institutions, 4165.
Housing (Amendment) Bill, 2897.
Labour and Industry (Amendment) Bill, 2296.
Local Authorities Superannuation (Disability Benefits) Bill, 2261, 2262.
Local Government (Further Amendment) Bill, 4303, 4380, 4494, 4495, 4497, 4498, 4499, 4500, 4501, 4502, 4503, 4508, 4511, 4600, 4601.
Local Government (Municipalities Assistance Fund) Bill, 4795.
Melbourne and Metropolitan Board of Works Bill, 2633.
Melbourne Wholesale Fruit and Vegetable Market—Conditions, 884.
Municipal Association (Amendment) Bill, 4375.
Primary Industries—Orderly marketing, 885.
Road Traffic (Amendment) Bill, 780.
Social Welfare Bill, 3652, 3658.
Stamps (Credit Business) Bill, 5288.
State Rivers and Water Supply Commission—Drainage in irrigation areas, 887.
Town and Country Planning (Amendment) Bill, 5101, 5103.
Victorian Railways—Mildura line: Carriages, 366; sleeping cars, 5244.
Water (Further Amendment) Bill, 3158.
Water Supply Works and Services Bill, 2643.
West Melbourne Market Land (Amendment) Bill, 783.

Marketable Securities (Amendment) Bill—Received from Assembly and first reading, 2281; second reading, 2382, 2753; Committee, 2755; remaining stages, 2756.

Marketing of Primary Products (Amendment) Bill—Introduction and first reading, 4007; second reading, 4018, 4292; Committee, 4295; remaining stages, 4296.

May, Hon. R. W. (Gippsland Province).
Aboriginal Lands Bill, 2760.
Address-in-Reply, 894.
Aerial Spraying Control (Amendment) Bill, 1539.
Agriculture, Department of—Proposed agricultural college in Gippsland, 4276. Artificial insemination, 5242.
Barry Beach—Transport of goods, 3856.
Boilers and Pressure Vessels Bill, 1513.
Bolwell Cars—Roadworthiness, 369.
Cattle Compensation Fund—Finance, 2256.
Churchill Water and Sewerage Works Bill, 4378.
Coal Mines (Pensions) Bill, 5122.
Coal Mines (Pensions Increase) Bill, 1536.
INDEX.

May, Hon. R. W.—continued.

Consolidated Revenue (Supply—October to December, 1970) Bill, 368.
Country Fire Authority—Purchase of land, 4785.
Country Roads Board—Realignment of creek and replacement of bridge at Traralgon, 353.
Education Department — School staff accommodation, 4364. Teachers in training, 4364.
Environment Protection Bill, 3480.
Farmers—Financial position, 894.
Fisheries and Wildlife Branch—Tamboon Inlet, 3857. Reserve at Jack Smith’s Lake, 4574.
Footwear Regulation Bill, 3641.
Gas and Fuel Corporation (Borrowing) Bill, 1273.
Gas and Fuel Corporation (Pipelines) Bill, 5120.
Gas and Fuel Corporation (The Gas Supply Company Limited) Bill, 2286.
Gas Franchises Bill, 3511, 3515.
Government Grants—To museums and cultural centres, 2628, 2738.
Health, Department of—Registration of chiropodists, 3855.
Hospitals and Charities Commission—Provision of funds for institutions, 4174. Subsidies for private hospital treatment in country areas, 5409.
Housing Commission—Shops at Churchill, 3057. Land purchases in Berwick and Cranbourne, 4275.
Land (Amendment) Bill, 2164, 2165, 2289.
Law Department—Traralgon court house, 354.
Litter (Proceedings for Offences) Bill, 4015.
Local Government (Further Amendment) Bill, 4507.
Milk Board—Price of milk, 4689.
Mines (Compensation) Bill, 2765.
Municipalities—Special grants, 655.
Museums and Cultural Centres—Government grants, 2628, 2738.
Noxious Weeds—Paterson’s Curse in Gippsland, 5243.
Pipelines (Amendment) Bill, 5405.
Probate Duty Bill, 2769, 2776.
Racing (Amendment) Bill, 3702.
River Entrance Docks Railway Construction Bill, 1895.
Road Traffic (Amendment) Bill, 778, 781.
Scaffolding Bill, 5267, 5271, 5272.
Secondary Industries—Financial position, 896.
State Development Bill, 3721.
State Forests Works and Services Bill, 2167.
State Rivers and Water Supply Commission—Water filtration plant at Maffra, 4003.
Summary Offences (Trespass to Farms) Bill, 1530.
Supply (Supplementary Estimates) Bill, 5409.
Victorian Railways—South Gippsland line, 1859.
Westernport Development Bill, 2427.

Meat Industry—Exports to the United States of America, 890. Lamb and mutton trade, 1646. Marketing system, 1646. Stock sales at Newmarket, (qn.) 4365. (See also "Victorian Inland Meat Authority (Amendment) Bill.")

Meat Industry Committee—Council members appointed, 5, 91. Report presented: Pet food industry, 5244. (See also "Joint Select Committee (Meat Industry) Bill.")


Medical Practitioners Bill—Received from Assembly and first reading, 2627; second reading, 2744, 2893; Committee, 2894; remaining stages, 2896.


Melbourne and Metropolitan Board of Works Bill—Introduction and first reading, 1677; second reading, 1862, 2632; Committee, 2634; remaining stages, 2637. Assembly amendments dealt with, 3637.


Melbourne Underground Rail Loop Bill—Received from Assembly and first reading, 2152; second reading, 2170, 2384; Committee, 2396; remaining stages, 2402.

Melbourne University Land Bill—Received from Assembly and first reading, 4709; second reading, 4786, 5109; remaining stages, 5110.

Melbourne Wholesale Fruit and Vegetable Market—Conditions, 884. Illicit trading in metropolitan area, 4612.

Members—Retirements, 39. Swearing in of members after periodical election, 70, 73. Qualification of Mr. Walsh, 73. Disqualification of Mr. Walsh: Orders of Court of Disputed Returns, 82. Representation of Melbourne West Province, 348. Payment to Mr. Walsh, (qn.) 349. Tributes to former members, 470, 695, 1654. New members introduced and sworn in: Mr. Thomas for Melbourne West Province, 1239, 1245; Mr. Storey for East Yarra Province, 4784. Retention of title "Honorable" by former members, 2152. Overseas visits, 3791, 5244, 5311. Resignation of Mr. Hamer, 4029, 4032, 4155. (See also "Constitution Act Amendment (Disqualification) Bill, The," "Constitution (Member's Qualifications) Bill, The," "Parliamentary Salaries Bill" and "Parliamentary Superannuation Bill").

Methodist Church (Victoria) Property Trust Bill—Received from Assembly, 1342; declared a private Bill, 1342; motion to treat as public Bill agreed to, 1342; first reading, 1342; second reading, 1379, 1788; Committee, 1789, 1869; remaining stages, 1870.

Metropolitan Fair Rents Board—Protection of tenants, 31.

Metropolitan Fire Brigades (Amendment) Bill—Received from Assembly and first reading, 1878; second reading, 2162, 2267; Committee, 2270; remaining stages, 2274.


Mines (Compensation) Bill—Received from Assembly and first reading, 1891; second reading, 2011, 2765; Committee, 2767; remaining stages, 2768.

Ministry of Social Welfare—Establishment, 1066, 1077, 4946. Suggested emergency bureaux, 1077. (See also "Social Welfare Bill" and "Social Welfare Department").

Ministry of State Development—Establishment, 1070. (See also "Department of State Development").

Ministry, The—Changes, 3, 3643, 3862, 4156, 4833, 5085. Unannounced visits by Ministers, 476. Deputation to Minister of Education, 3054, 3519. Resignation of Sir Arthur Rylah, 3861. (See also "Constitution Act Amendment (Responsible Minister) Bill, The").
Mitchell, Hon. C. A. (Western Province).
Address-in-Reply, 471.
Agriculture, Department of — Glenormiston Agricultural College, 4785.
Chiropractors—Registration, 4005.
Commonwealth Pay-roll Tax — Non-payment by Victoria, 471.
Consolidated Revenue (Supply—July to September, 1970) Bill, 32.
Consolidated Revenue (Supply—October to December, 1970) Bill, 366.
Country Roads Board—Great Ocean Road, 2628.
Dairying Industry — Two-price system, 472.
Decentralization—Desirability, 474.
Deputation to Minister of Education, 3054.
Fertilizers and Stock Foods (Labelling) Bill, 971.
Footwear Regulation Bill, 3640.
Forests (Amendment) Bill, 2751.
Geelong Land (Special Grant) Bill, 4377.
Grain Elevators Board—Payments to members, 3850.
Grain—Use of deposits in Casterton area, 472.
Grassmere Land Bill, 5405.
Hospitals and Charities Commission— Provision of funds for institutions, 4181, 4182.
Joint Select Committee (Road Safety) Bill, 24.
Labour and Industry (Amendment) Bill, 2296.
Land Conservation Bill, 1882, 1886, 1887, 1888, 1889.
Land Tax Bill, 3449.
Lifts and Cranes (Amendment) Bill, 2560.
Milk Board—Contracts, 864.
Milk Industry—Suggested inquiry, 755.
Ministry, The—Unannounced visits to electorate by Ministers, 476.
Mitchell, Hon. C. A.—continued.
Motor Car (Amendment) Bill, 988.
Motor Car (Driving Offences) Bill, 5302.
Motor Car (Safety) Bill, 3464.
Murray Goulburn Co-operative Co. Ltd. — Establishment at Simpson, 1244, 5422.
Oil Exploration-Boring operations, 5423.
Petrol—Price, 4466.
Pollution—From motor vehicles, 5423.
Price Control, 475.
Primary Industries—Growers’ organizations, 475. Rural reconstruction scheme, 5423.
Rural Finance and Settlement Commission—Interest rates, 5422.
Soldier Settlement Act—Interest rates, 3854.
Soldier Settlement Bill, 766.
State Development Bill, 3716.
State Development, Department of—Plight of small businessmen in country towns, 5424.
Stock Diseases (Amendment) Bill, 2892.
Supply (July to September) Bill, 5421.
Teachers Tribunal—Composition, 366.
Valuer-General's Office—Valuations in Shire of Portland, 471.
Vermin and Noxious Weeds (Amendment) Bill, 2533, 2534.
Victorian Railways—Suggested free passenger transport, 5423.
Weights and Measures (Amendment) Bill, 1539.


Money Lenders (Prescribed Interest) Bill—Received from Assembly and first reading, 1273; second reading, 1512, 2176; Committee, 2179; remaining stages, 2181.

Motions for Adjournment of House to Enable Members to Discuss Public Questions—


Motor Car (Amendment) Bill—Received from Assembly and first reading, 375; second reading, 455, 987; remaining stages, 988.

Motor Car (Driving Offences) Bill—Received from Assembly and first reading, 5241; second reading, 5249, 5293; Committee, 5307; remaining stages, 5310.

Motor Car (Fees) Bill—Received from Assembly and first reading, 2768; second reading, 2852, 3172; Committee, 3174, 3177; remaining stages, 3178.

Motor Car (Safety) Bill—Received from Assembly and first reading, 2751; second reading, 2900, 3450; Committee, 3464, 3506; third reading, 3507.

Motor Registration Branch—Registration concessions to handicapped persons, (qn.) 1780.

Motor Vehicles—Fitting of seat belts, 366, (qn.) 4277. Roadworthiness of Bolwell cars, 369. Pollution from, 459, 5423. (See also “Road Safety and Traffic Authority” et seq.)

Municipal Association (Amendment) Bill—Received from Assembly, 4002; declared a private Bill, 4002; motion to treat as public Bill agreed to, 4002; first reading, 4002; second reading, 4026, 4375; Committee, 4375; remaining stages, 4376.


Murray Goulburn Co-operative Co. Ltd.—Site for store and transport depot at Simpson, (qn.) 1244, 5422.

Museums and Cultural Centres—Government grants, (qns.) 2628, 2738. (See also “National Museum and Institute of Applied Science,” “National Museum of Victoria Council Bill” and “Science Museum of Victoria Bill.”)

N.

National Museum and Institute of Applied Science—Closure at week-ends, 4942.

National Museum of Victoria Council Bill—Introduction and first reading, 356; second reading, 381, 770; Committee, 771, 970; remaining stages, 970. Assembly amendment dealt with, 3643.

National Parks Bill—Received from Assembly and first reading, 3148; second reading, 3180, 3761; Committee, 3767; remaining stages, 3768.

Natural Gas. (See “Gas, Natural.”)

Natural Resources—Use of, 35.

New Broken Hill Consolidated Limited Bill—Received from Assembly, 4832; declared a private Bill, 4832; motion to treat as public Bill agreed to, 4832; first reading, 4911; second reading, 4929; Committee and remaining stages, 4932.

Newmarket Sale-yards—Stock sales, (qn.) 4365.

Nicol, Hon. G. J. (Monash Province).
Abolition of Capital Punishment Bill, 881.
Boilers and Pressure Vessels Bill, 1514.
Capital Punishment — Proposed Select Committee, 4696, 4697.
Christmas Felicitations, 3800.
Commonwealth Constitution — Proposed amendment, 868.
Crimes (Inhumane Punishments Abolition) Bill, 4726.
Footwear Regulation Bill, 1258.
Motor Car (Driving Offences) Bill, 5304.
Select Committees—Expenses of members, 31.
(See also “Chairman of Committees, The (Hon. G. J. Nicol).”)

Nonferral Pty. Ltd.—Emission of fumes, (qn.) 1511.

Noxious Weeds. (See “Vermin and Noxious Weeds (Amendment) Bill” et seq.)


O'Connell, Hon. G. J. (Melbourne Province).
Address-in-Reply, 1088.
Albert Park Land Bill, 4793.
Consolidated Fund—Receipts, 1058.
Consolidated Revenue (Supply—July to September, 1970) Bill, 32, 34.
Dog Racing Control Board—Members, 1779. Additional dog-racing tracks, 3854.
East Melbourne Land Bill, 2653.
Education Department—Richmond High School, 34. Primary school classrooms, 861. Flemington Primary School, 861. Boundary Road, North Melbourne, Primary School, 4004. George Street, Fitzroy, Primary School, 4467. Richmond Primary School, 4688.

Ehrenhaus Retail Bottled Liquor Licence Bill, 5109.
Environment Protection Bill, 3362, 3493, 3494, 3499, 3503.
Footwear Regulation Bill, 3642.
Hairdressers Registration (Amendment) Bill, 2545, 2546.
Health, Department of—Subsidies for home-help schemes, 760.
Hire Purchase (Insurance) Bill, 2752.
Hospitals and Charities Commission—Maintenance funds for public hospitals, 657.
Hospitals Superannuation (Amendment) Bill, 1252, 1254.
Housing (Amendment) Bill, 2652, 2899, 2900.
Kindergartens and Pre-school Play Centres—In Melbourne Province, 562. Staff, 562.
Liquor Control (Amendment) Bill, 5287.
Local Government (Municipalities Assistance Fund) Bill, 4794.
Lotteries Gaming and Betting (Amendment) Bill, 1247.
Melbourne and Metropolitan Board of Works—Cowderoy Street, West St. Kilda, drain, 656.
Melbourne Underground Rail Loop Bill, 2400.
Members—Qualification of Mr. Walsh, 86. Overseas visits, 5311.
O'Connell, Hon. G. J.—continued.

Metropolitan Fire Brigades (Amendment) Bill, 2271.


Contributions to Metropolitan Fire Brigades Board, 1090.

Pentridge Gaol—Prisoners, 4690. Staff, 4690.

Police Department—Strength of force, 32, 1089, 3443. Road traffic blitzes, 446. Resignations, dismissals and recruitment, 562, 1089, 3443. Salaries, 1089. Proposed police station at Prahran, 1342, 4275.

Public Service Board—Inspectors of municipal accounts, 759. Correspondence, 759.

Public Works and Services Bill, 3349.


Racing (Amendment) Bill, 3689, 3705, 3707.

River Entrance Docks Railway Construction Bill, 1891, 1895.

Roads—Pedestrian over-passes, 1088.

Road Safety and Traffic Authority—Pedestrian over-pass near Richmond High School, 92. Pedestrian over-passes, 1088. Finance for traffic control, 1858. Traffic hazard at The Boulevard, Richmond, 4394.

Royal Botanic Gardens—Kiosk, 2153.

Second-hand Dealers (Charity Collectors) Bill, 2640.

Subordinate Legislation (Powers) Bill, 4607.

Supply (July to September) Bill, 4939.

Totalizator Agency Board—Facilities for patrons, 32, 4939. Revenue from fractions, 1058. Dividend adjustment funds, 2526. Payment of dividends after last race, 4468.

Urban Renewal Bill, 2418.

Valuer-General's Office—Land valuations in City of Melbourne, 353.

Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4701.


O'Connell, Hon. G. J.—continued.

West Melbourne Market Land (Amendment) Bill, 782.


P.

Parklands—Public parks in Melbourne metropolitan area, (qn.) 5087, 5421.

Parliament—Opening by Commission, 1. Importance of State Parliament, 476, 1641. (See also "Joint Sittings of Parliament."")

Parliamentary Salaries Bill—Received from Assembly and first reading, 3689; second reading, 3796; remaining stages, 3797.

Parliamentary Superannuation Bill—Received from Assembly and first reading, 5085; second reading, 5107; remaining stages, 5108.

Parliament House—Maintenance, 5132.

Paterson's Curse—Infestation in Gippsland, (qn.) 5243.

Pay-roll Tax. (See "Commonwealth Pay-roll Tax.")

Perpetual Trustees Australia Ltd. (See "Trustee Companies (Perpetual Trustees Australia Limited) Bill.")

Personal Explanations—By Mr. Byrne, 2526. By Mr. Hauser, 4807.


Petrol—Price, (qn.) 4466.

Petroleum Refineries (Australia) Pty. Ltd.—Fire at Altona plant, (qn.) 4466.

Petrol Service Stations—Financial position, 93. Trading hours, 1074.


Pipelines—From Sale to Sydney, (qn.) 349. (See also "Gas and Fuel Corporation (Pipelines) Bill.")
INDEX.

Pipelines (Amendment) Bill—Received from Assembly and first reading, 5241; second reading, 5246, 5405; Committee, 5405; remaining stages, 5407.

Place Names. (See “Survey Co-ordination (Place Names) Bill.”)

Point Ormond—Proposed restaurant, 1552.

Poker Machines—Government policy, (qn.) 4275.


Police Regulation (Amendment) Bill—Received from Assembly and first reading, 4362; second reading, 4392, 4709; Committee, 4711; remaining stages, 4713.

Political Parties—Leadership, 3, 93.


Population—Optimum figure for Australia, 1087.

Port Phillip Bay—Condition of beaches, 359, 362, 468. Environmental study, (qn.) 5085.

Presbyterian Church of Australia Bill—Received from Assembly, 4514; declared a private Bill, 4514; motion to treat as public Bill agreed to, 4514; first reading, 4514; second reading, 4582, 4803; Committee and remaining stages, 4804.

Pre-school Centres. (See “Department of Health.”)

Presidency—Motion by Mr. Hamilton that Mr. Garrett take the chair as President, 71; seconded by Mr. Fry, 71; acceptance of nomination, 71; motion agreed to, 71. Presentation of President to Governor, 72.

President, The (Hon. R. W. Garrett).

Rulings and Statements of—
Address-in-Reply—Presentation, 3442, 3636.


Chairmen of Committees, Temporary—Appointments, 5, 90.

Christmas Felicitations, 3800.

Clerk—Absence of, 444. Overseas trips, 5434.

Clerk-Assistant—Retirement of Mr. J. J. P. Tierney, 93, 94. Appointment of Mr. G. N. H. Grose, 93, 94.

Commission to Swear Members, 73.

President, The (Hon. R. W. Garrett)—continued.

Primary Industries—continued.

Princes Gate Plaza—Safety, 104.

Printing Committee—Members appointed, 4, 91.

Prisons Division—Pentridge Gaol: Prisoners, (qn.) 4690; staff, (qn.) 4690.

Private Bills—Cost, 4834.


Probate Duty Bill—Received from Assembly and first reading, 2632; second reading, 2658, 2768; Committee, 2775; remaining stages, 2776.

Protection of Animals (Rodeos) Bill—Introduction and first reading, 3803; second reading, 3806, 4373; Committee, 4374; remaining stages, 4375.

Public Account Bill—Received from Assembly and first reading, 1373; second reading, 1373, 1899; remaining stages, 1904.

Public Acts—Arrangement of volumes in House, 762.

Public Buildings—Aesthetic qualities, 470.

Public Parks—in Melbourne metropolitan area, (qn.) 5087, 5421.

Public Service (Amendment) Bill—Received from Assembly and first reading, 1254; second reading, 1352; remaining stages, 1352.

Public Service Board—Inspectors of municipal accounts, (qns.) 446, 759. Correspondence, (qn.) 759.

Public Solicitor—Settlement of claims against Mr. G. W. A. Douglas, former Public Solicitor, 3795.

Public Transport—Expenditure, 460. In metropolitan area, 1076. Suggested free rail transport to Melbourne, 5423. (See also “Transportation” and “Victorian Railways.”)

Public Trustee (Amendment) Bill—Received from Assembly and first reading, 5241; second reading, 5258; Committee, 5262; remaining stages, 5263.

Public Works and Services Bill—Received from Assembly and first reading, 2891; second reading, 3030, 3332; Committee, 3343; remaining stages, 3352.

Public Works Committee—Council members appointed, 5.


Q.

Questions on Notice—Suspension of Standing Order No. 77, 5. Answering of questions on Thursday’s Notice Paper, 1800, 2152.

R.

Racing (Amendment) Bill—Received from Assembly and first reading, 3157; second reading, 3321, 3689; Committee, 3703; remaining stages, 3706.

Railways. (See “Victorian Railways.”)

Railways Lands Bill—Received from Assembly and first reading, 2181; second reading, 2263, 2768; remaining stages, 2768.

Railway Works and Services Bill—Received from Assembly and first reading, 2632; second reading, 2742, 3033; Committee, 3038; third reading, 3041.

Reader’s Digest Association Pty. Ltd.—Activities. 3790, 3792, 3794.
Real Estate—Ownership by non-residents, (qns.) 4365, 4468.

Receipt Duty. (See “Stamp Duty” and “Stamps (Receipt Duty Abolition) Bill.”)

Registration of Births Deaths and Marriages (Amendment) Bill—Received from Assembly and first reading, 677; second reading, 963, 1518; Committee, 1520; remaining stages, 1521.

Revocation and Excision of Crown Reservations Bill—Received from Assembly and first reading, 1536; second reading, 1621, 2034; Committee and remaining stages, 2037.

Right of Privacy Bill—Introduction and first reading, 97.

River Entrance Docks Railway Construction Bill—Received from Assembly and first reading, 1255; second reading, 1353, 1891; Committee, 1894; remaining stages, 1895.

River Improvement (Amendment) Bill—Received from Assembly and first reading, 560; second reading, 564, 1249; remaining stages, 1252.

River Improvement Trusts. (See “State Rivers and Water Supply Commission.”)

Road Safety and Traffic Authority—Painting of white lines on highways, 36. Pedestrian over-pass near Richmond High School, (qn.) 92. Pedestrian over-passes on highways, 1088. School crossing at Benalla, 1370. Allocations to municipalities, (qn.) 1858. Engineering section, (qn.) 2741. Traffic hazard at The Boulevard, Richmond, 4394. (See also “Motor Car (Amendment) Bill” et seq., “Road Traffic (Amendment) Bill” and “Road Traffic (Road Safety and Traffic Authority) Bill.”)

Road Safety Committee—Council members appointed, 5, 91. Reports presented: Compulsory breath analysis tests, 356; alcohol and road accidents, 2383; permits for learner drivers, 4690. Scope of inquiry, 1671. (See also “Joint Select Committee (Road Safety) Bill.”)

Road Toll—Methods for reduction, 1636, 1650, 1671.

Road Traffic (Amendment) Bill—Received from Assembly and first reading, 382; second reading, 457, 777; Committee, 778; remaining stages, 782.

Road Traffic (Road Safety and Traffic Authority) Bill—Received from Assembly and first reading, 2627; second reading, 2658, 3161; Committee, 3165; remaining stages, 3166.


Rodeos. (See “Protection of Animals (Rodeos) Bill.”)

Royal Botanic Gardens—Kiosk, (qn.) 2153. Payment to Mr. R. Frank, 3795, 3796.

Royal Dental Hospital—Graduates, 4953. Research work, 4953.

Rural Finance and Settlement Commission—Assistance to primary industries, 7. Interest rates, (qn.) 3854, 5422, 5432. (See also “Soldier Settlement Bill.”)

S.

Scaffolding Bill—Received from Assembly and first reading, 5085; second reading, 5104, 5264; Committee, 5269; remaining stages, 5273.

Science Museum of Victoria Bill—Introduction and first reading, 356; second reading, 379, 767; Committee, 770, 969; remaining stages, 970.

Seat Belts. (See “Motor Vehicles.”)


Second-hand Dealers (Charity Collectors) Bill—Received from Assembly and first reading, 2426; second reading, 2534; 2640; remaining stages, 2641.

Securities Industry (Amendment) Bill—Received from Assembly and first reading, 2892; second reading, 3016, 3327; Committee, 3328; remaining stages, 3329.

Seeds Bill—Introduction and first reading, 4007; second reading, 4189, 4586; Committee, 4595; remaining stages, 4598. Assembly amendments dealt with, 5291.

Select Committees—Expenses of members, 31.

Sewerage Districts (Amendment) Bill—Received from Assembly and first reading, 1373; second reading, 1377, 2034; remaining stages, 2034.
Simpson—Site for store and transport depot for Murray Goulburn Co-operative Co. Ltd., (qn.) 1244, 5422.

Snowy Mountains Engineering Corporation (Victoria) Bill—Received from Assembly and first reading, 4157; second reading, 4291, 4704; Committee, 4707, 4793; remaining stages, 4793.

Social Behaviour—Demonstrations and protests, 9, 26.

Social Welfare Bill—Received from Assembly and first reading, 3321; second reading, 3445, 3646; Committee, 3670; third reading, 3689.


Soil Conservation and Land Utilization (Amendment) Bill—Received from Assembly and first reading, 4839; second reading, 4911, 5111; Committee and remaining stages, 5116.

Soldier Settlement Act—Interest rates, (qn.) 3854, 5422, 5432.

Soldier Settlement Bill—Received from Assembly and first reading, 560; second reading, 577, 764; Committee, 765; remaining stages, 766.

Stamp Duty—Payment of receipt duty, (qn.) 4910.

Stamps Bill—Received from Assembly and first reading, 1273; second reading, 1359, 1864; Committee, 1866; remaining stages, 1869.

Stamps (Credit Business) Bill—Received from Assembly and first reading, 5085; second reading, 5103, 5288; Committee and remaining stages, 5289.

Stamps (Receipt Duty Abolition) Bill—Received from Assembly and first reading, 1510; second reading, 1551, 2281; Committee, 2283; remaining stages, 2284.

Standing Orders Committee—Members appointed, 4, 91, 1344.

State Development. (See "Decentralization" and "Department of State Development.")

State Development Bill—Received from Assembly and first reading, 3148; second reading, 3166, 3708; Committee, 3723; remaining stages, 3725.

State Development Committee—Council members appointed, 5.


State Film Centre—Publicity, 32.


State Forests Works and Services Bill—Received from Assembly and first reading, 1677; second reading, 1790, 2166; Committee, 2169; remaining stages, 2170.

State Library—Closure at week-ends, 4941.


State Savings Bank—Finance for municipalities, 1651.

Statute Law Revision Bill—Introduction and first reading, 4368; second reading, 4492, 4598; referred to Statute Law Revision Committee, 4599.

Statutory Salaries Bill—Received from Assembly and first reading, 3689; second reading, 3725; remaining stages, 3726.

Stock (Artificial Breeding) (Amendment) Bill—Introduction and first reading, 4; second reading, 3803, 3862; Committee, 3868; remaining stages, 3869.

Stock Diseases (Amendment) Bill—Introduction and first reading, 2005; second reading, 2630, 2892; Committee, 2892; remaining stages, 2893.

Strikes—Economic effects, 1673. Effects on trade union movement, 1676.

Subordinate Legislation Committee—Council members appointed, 5, 91.

Subordinate Legislation (Powers) Bill—Introduction and first reading, 4367; second reading, 4380, 4607; Committee, 4608; remaining stages, 4609.

Summary Offences Bill—Introduction and first reading, 96; second reading, 97, 586; Committee, 591; remaining stages, 595.


Summary Offences (Trespassers) Bill—Received from Assembly and first reading, 3637; second reading, 3643, 3775; Committee and remaining stages, 3789.

Summary Offences (Trespass to Farms) Bill—Received from Assembly and first reading, 1058; second reading, 1091, 1521; Committee, 1532, 1787; remaining stages, 1788.

Superannuation—(See "Hospitals Superannuation (Amendment) Bill," "Local Authorities Superannuation (Disability Benefits) Bill," "Local Authorities Superannuation (Disability Benefits) (Commencement) Bill" and "Parliamentary Superannuation Bill.")

Superannuation (Amendment) Bill—Received from Assembly and first reading, 2765; second reading, 2857, 3174; Committee and remaining stages, 3177.

Superannuation (Railway Service) Bill—Received from Assembly and first reading, 4598; second reading, 4609; Committee and remaining stages, 4612.

Superannuation (Transitional Provisions) Bill—Received from Assembly and first reading, 4910; second reading, 4925; remaining stages, 4926.

Supply—Availability of Budget documents, 357, 358. Departmental answers to questions raised in Supply debates, 5431. (See also "Consolidated Revenue Bills.")

Supply (July to September) Bill—Received from Assembly and first reading, 4688; second reading, 4732, 4833; Committee, 4839, 4937, 5032, 5130, 5415; remaining stages, 5434.

Supply (Supplementary Estimates) Bill—Received from Assembly and first reading, 5121; second reading, 5125, 5407; Committee, 5410; remaining stages, 5411.

Survey Co-ordination (Place Names) Bill—Received from Assembly and first reading, 4839; second reading, 4917; Committee and remaining stages, 4920.

Swimming Pools—Deaths of children, 5312.

INDEX.

Swinburne, Hon. I. A.—continued.


Commonwealth Places (Administration of Laws) Bill, 2544.

Consolidated Revenue (Final Supplementary Estimates 1969-70) Bill, 3796.

Consolidated Revenue (Supplementary Estimates 1969-70) Bill, 39.

Consolidated Revenue (Supply—July to September, 1970) Bill, 27.

Consolidated Revenue (Supply—October to December, 1970) Bill, 357.

Constitution Act Amendment (Disqualification) Bill, The, 1062.

Co-operative Housing Societies (Amendment) Bill, 684.

Country Fire Authority (Borrowing Powers) Bill, 1348.

Country Roads (Amendment) Bill, 2154.

Crimes (Inhumane Punishments Abolition) Bill, 4486, 4726.

Crown Land—In parishes of Derril and Flowerdale, 2044.


Deputation to Minister of Education, 3519.


Ehrenhaus Retail Bottled Liquor Licence Bill, 5109.

Environment Protection Bill, 3359, 3488, 3489, 3495, 3496, 3498, 3500, 3503.

Evidence (Registration of Commissioners) Bill, 5413.

Fisher (Amendment) Bill, 4821, 4822.

Footwear Regulation Bill, 1261, 1264, 3641.

Forests (Bowater-Scott Agreement) Bill, 5110.

Gippsland—Flood relief, 4836.

Governor—Service to State, 1065.

Groundwater (Amendment) Bill, 984, 986, 1895.

Health, Department of—Sale of bromureides, 5095.


Housing—in country areas, 28.

Housing (Amendment) Bill, 2860.


Imperial Acts Application (Repeals) Bill, 5249.

Judges’ Pensions (Amendment) Bill, 766.

Labour and Industry (Amendment) Bill, 2193, 2294.

Labour and Industry (Equal Pay) Bill, 4479.

Land (Amendment) Bill, 2165, 2290, 2291.

Land Conservation Bill, 1544, 1884, 1886, 1891.

Land Tax Bill, 3330, 3448, 3450.

Liquor Control (Amendment) Bill, 5287.

Local Government (Further Amendment) Bill, 4390, 4500, 4504, 4513.

Marketing of Primary Products (Amendment) Bill, 4293.

Medical Practitioners Bill, 2896.

Melbourne Underground Rail Loop Bill, 2387, 2401.

Members—Qualification of Mr. Walsh, 81.

Resignation of Sir Arthur Rylah, 3861.

Resignation of Mr. Hamer, 4030. Overseas visits, 5311.

Ministry, The—Changes, 4156.

Motor Car (Safety) Bill, 3452, 3466, 3506, 3507.

National Parks Authority—Expenditure, 1071. Mount Buffalo National Park, 3444.

National Parks Bill, 3761, 3768.

Parliamentary Salaries Bill, 3797.

Parliamentary Superannuation Bill, 5107.

Political Parties—Leadership, 4, 93.

Pollution—Previous legislation, 1068.

Presbyterian Church of Australia Bill, 4804.

President, The—Election, 72.

Primary Industries—Financial position, 1069.

Probate Duty—Effect of land valuations, 1072.

Probate Duty Bill, 2772, 2773.

Public Account Bill, 1903.

Questions on Notice, 1800.

Racing (Amendment) Bill, 3702.

Reader’s Digest Association Pty. Ltd.—Activities, 3792.

Revocation and Excision of Crown Reservations Bill, 2036, 2037.

Road Traffic (Amendment) Bill, 778, 779.

Sewerage Districts (Amendment) Bill, 2034.

Social Welfare Bill, 3688.
Swinburne, Hon. I. A.—continued.

Stamps Bill, 1865.
Stamps (Receipt Duty Abolition) Bill, 2263.
State Development Bill, 3711.
State Development, Department of—Financial allocation, 4837.
State Development, Ministry of—Establishment, 1070.
State Finance—Deficit, 4835.
Statutory Salaries Bill, 3726.
Subordinate Legislation (Powers) Bill, 4608.
Summary Offences (Trespass to Farms) Bill, 1522, 1534, 1787.
Superannuation (Railway Service) Bill, 4611.
Supply—Availability of Budget documents, 358.
Supply (July to September) Bill, 4835, 5415, 5417.
Supply (Supplementary Estimates) Bill, 5407, 5410.
Teacher Housing Bill, 3043, 3051, 3052, 3053, 3054.
Timber Industry—Need for assistance, 29.
Tourism—Expenditure, 1071.
Transportation—Expenditure on improvements, 1067.
Urban Renewal Bill, 2412, 2548, 2550, 2552, 2554, 2557, 2558.
Valuer-General’s Office—Land valuations, 1071.
Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4702, 4704.
Western Port Steel Works (Development Control) Bill, 3352.
West Gate Bridge Disaster—Condolences, 977.
West Gate Bridge Royal Commission Bill, 979, 982.
Wheat Marketing (Special Quotas) Bill, 15.

Teacher Housing Bill—Received from Assembly and first reading, 2738; second reading, 2741, 3041; Committee, 3050; remaining stages, 3054.


Teaching Service (Tribunal) Bill—Received from Assembly and first reading, 2738; second reading, 2748, 2849, 2862; Committee, 2889; remaining stages, 2891.

Thomas, Hon. H. A. (Melbourne West Province).

Hospitals and Charities Commission—Provision of funds for institutions, 4176.
Housing Commission—Emergency housing service, 5086.
Local Government (Further Amendment) Bill, 4391.
Melbourne and Metropolitan Board of Works—Water supply for Laverton and Werribee, 5134.
Supply (July to September) Bill, 5134.
Werribee Water Trust—Water supply to Werribee area, 5134.

Timber Industry—Need for assistance, 29.

Todd, Hon. Archibald (Melbourne West Province).

Consolidated Revenue (Supply—July to September, 1970) Bill, 30, 35.
Housing—Rent control, 30.
Metropolitan Fair Rents Board—Protection of tenants, 31.
Victorian Railways—Rolling-stock on St. Kilda and Port Melbourne lines, 35. Repair of bridge in South Melbourne, 35.
Wheat Marketing (Special Quotas) Bill, 14, 21.

Tomato Processing Industry (Amendment) Bill—Introduction and first reading, 2005; second reading, 2154, 2275; Committee, 2279; remaining stages, 2280.


Town and Country Planning (Amendment) Bill—Introduction and first reading, 4785; second reading, 4926, 5030, 5101; Committee, 5102; remaining stages, 5103.

Town Planning—Proposals for a city square in Melbourne, 5033.

Traffic Commission. (See "Road Safety and Traffic Authority").

Transfer of Land (Duplicate Certificates) Bill—Received from Assembly and first reading, 4002; second reading, 4027, 4376; remaining stages, 4376.

Transportation—Inquiry, 696, 892. Expenditure on improvements, 1067. Report by Dr. Stewart Joy, (qns.) 1779, 1861. (See also "Public Transport" and "Victorian Railways").

Travel Agencies—Registration, (qns.) 862, 2153, 4574. Activities, 1636, (qn.) 2153.

Trespassers. (See "Summary Offences (Trespassers) Act 1970," "Summary Offences (Trespassers) Bill" and "Summary Offences (Trespass to Farms) Bill").

Tripovich, Hon. J. M.—continued.

Commonwealth Constitution — Proposed amendment, 879.
Consolidated Revenue (Final Supplementary Estimates 1969–70) Bill, 3795.
Consolidated Revenue (Supplementary Estimates 1969–70) Bill, 38.
Consolidated Revenue (Supply—July to September, 1970) Bill, 25.
Consolidated Revenue (Supply—October to December, 1970) Bill, 363.

Constitution Act Amendment (Disqualification) Bill, The, 1063, 1064, 1065.

Co-operative Housing Societies—Finance, 1658.

Co-operative Housing Societies (Amendment) Bill, 679, 683.

Crimes (Inhumane Punishments Abolition) Bill, 4484, 4713, 4729.


Death—Tribute to Sir Herbert Hyland, 1655.


Environment Protection Bill, 3485, 3486, 3487, 3490, 3495, 3499, 3505.

Footwear Regulation Bill, 1258, 1264, 1265, 3640.

Gas and Fuel Corporation (Geelong Gas) Bill, 4839, 4847.
Tripovich, Hon. J. M.—continued.

Government Departments and Instrumentalities—Retention of staff, 39. Location of Department of State Development and Liquor Control Commission, 4159.

Home Finance (Amendment) Bill, 672.


Housing—High-rise developments, 26, 1658.


Judges' Pensions (Amendment) Bill, 766.

Labor Party—Leadership, 3.

Labour and Industry (Amendment) Bill, 2184.

Labour and Industry (Shop Closing) Bill, 1267, 1270, 1271, 1272.

Land Conservation Bill, 1540, 1886, 1889, 1890.


Local Government Act—Complaints alleging offences by councillors of Hastings Shire Council, 4365.

Local Government (Further Amendment) Bill, 4500, 4509.

Melbourne Airport—Hours of operation, 1656.

Melbourne Underground Rail Loop Bill, 2384.

Members—Qualification of Mr. Walsh, 73, 77, 78. Tribute to former members, 1655. Overseas visits, 3791.

Money Lenders (Prescribed Interest) Bill, 2176, 2181.

Motor Car (Driving Offences) Bill, 5304, 5309.


National Parks Authority—Classification of parks, 1244, 1343.

National Parks Bill, 3768.

Police Department—Strength of force, 3854.

Tripovich, Hon. J. M.—continued.

Police Regulation (Amendment) Bill, 4709.

President, The—Election, 71.

Protection of Animals (Rodeos) Bill, 4373, 4375.

Public Account Bill, 1899.

Public Service (Amendment) Bill, 1352.

Public Solicitor—Settlement of claims against Mr. G. W. A. Douglas, former Public Solicitor, 3795.

Public Works and Services Bill, 3332.

Public Works Department—Works programme reduction, 3851.

Questions on Notice, 1800.

Railway Works and Services Bill, 3033, 3039.

Reader's Digest Association Pty. Ltd.—Activities, 3790.

Royal Botanic Gardens—Payment to Mr. R. Frank, 3795.


Science Museum of Victoria Bill, 767, 969.

Social Behaviour—Demonstrations and protests, 26.

Social Welfare Bill, 3667, 3675.

Social Welfare Department—Deserted wives, 4004.

State Development Bill, 3718, 3724.

State Development, Department of—Location, 4159.


Statutory Salaries Bill, 3726.

Summary Offences (Trespass to Farms) Bill, 1531.

Superannuation Bill, 3174.

Superannuation (Railway Service) Bill, 4609, 4612.

Teachers Tribunal—Staffing schedule for secondary schools in Doutta Galla Province, 1660.

Teaching Service (Tribunal) Bill, 2849, 2851, 2852, 2863, 2890.

Urban Renewal Bill, 2405, 2548, 2549, 2550, 2551, 2552, 2553, 2557, 2558, 2559.

Western Port Regional Planning Authority—Industrial Development Advisory Council, 5087. Report on industrial development, 5088.
Wheat Marketing (Amendment) Bill, 2021, 2033.

Trotting Control Board—Allocation of trotting dates, 4946.

Trustee Companies (Equity Trustees) Bill—Received from Assembly, 4731; declared a private Bill, 4731; motion to treat as public Bill agreed to, 4731; first reading, 4795; second reading, 4806, 5032; remaining stages, 5032.

Trustee Companies (Perpetual Trustees Australia Limited) Bill—Received from Assembly, 685; declared a private Bill, 685; motion to treat as public Bill agreed to, 685; first reading, 761; second reading, 761, 1254; remaining stages, 1255.

Tuberculosis. (See "Health (Tuberculosis Arrangement) Bill.")

Tullamarine Airport. (See "Melbourne Airport.")

Uniform Building Regulations—Building permits in City of Melbourne, (qn.) 4157.

Universities—Expenditure, 469. Scope of fourth university, 469. Effect of Commonwealth-State relations, 691. Entrance standards, 5427, 5432. (See also "La Trobe University," "Melbourne University Land Bill" and "Monash University.")

University of Melbourne—Council: Vacancy, 4785; appointment, 4786. (See also "Melbourne University Land Bill.")

Urban Renewal Bill—Received from Assembly and first reading, 1857; second reading, 2015, 2405; Committee, 2425, 2547; remaining stages, 2559.

Vagrancy (Insufficient Means) Bill—Introduction and first reading, 3857; second reading, 4021, 4284, 4690; Committee, 4694; motion to refer to Statute Law Revision Committee, 4932; motion withdrawn, 4936.

Valuer-General's Office—Land valuations: In City of Melbourne, (qn.) 353; in Shire of Portland, 471; in Shire of Korong, (qn.) 862, 4367; in State, 1071, 1643; effect on probate duty, 1072.

Vermin and Noxious Weeds (Amendment) Bill—Received from Assembly and first reading, 1677; second reading, 1781, 2322; Committee, 2533; remaining stages, 2534.

Vermin and Noxious Weeds (Amendment) Bill (No. 2)—Received from Assembly and first reading, 4488; second reading, 4491, 4701; Committee, 4703; remaining stages, 4704.

Vermin and Noxious Weeds Destruction Board—Infestation of Paterson's Curse in Gippsland, (qn.) 5243.


Victoria Institute of Colleges (Amendment) Bill—Received from Assembly and first reading, 4954; second reading, 5027; Committee; 5029; remaining stages, 5030.

Victorian Airfields Committee—Recommendations, (qn.) 3857.

Victorian Inland Meat Authority (Amendment) Bill—Introduction and first reading, 356; second reading, 376, 595; Committee and remaining stages, 600.


Victorian Oat Growers Pool and Marketing Co. Ltd.—Members, (qn.) 4689.

Victorian Railways—
Victorian Railways—continued.


Freights and Fares—Freight charges: On wheat, 462; on wool, 891; country rates, 1067; fixation, 1657.

Interstate Lines—Club car for Overland express, 33.

Level Crossings—At Kyabram, (qn.) 760. Boom barriers and hand-controlled gates, (qn.) 1779. Municipalities declining to contribute to cost of boom barriers, (qn.) 1779.

Newport Workshops—Staff, 4939. Government contracts, 4939.


Underground Loop—Construction, 1067, 1076, 1655. (See also "Melbourne Underground Rail Loop Bill," "Railway Lands Bill," "Railway Works and Services Bill," "River Entrance Docks Railway Construction Bill" and "Superannuation (Railway Service) Bill.")

Victorian Universities Admissions Committee—Need for liaison with Education Department, 5427.

W.

Walton, Hon. J. M.—continued.

Crimes (Inhumane Punishments Abolition) Bill, 4726, 4728.
Education Department—Shortage of teachers, 4834.
Firearms Bill, 4376.
Footwear Regulation Bill, 3639.
Gas and Fuel Corporation (Geelong Gas) Bill, 4844.
Government Departments—Reductions in expenditure, 4835.
Hospitals—Financial position, 4834.
Joint Select Committee (Road Safety) Bill, 23.
Land (Amendment) Bill, 2163.
Land Dealings in City of Melbourne, 3001, 3008, 3009.
Land Tax Bill, 3329.
Local Authorities Superannuation (Disability Benefits) Bill, 2260, 2261.
Local Authorities Superannuation (Disability Benefits) (Commencement) Bill, 4804.
Local Government Department—Services and personnel: Government directive, 3856.
Local Government (Further Amendment) Bill, 3818, 4298, 4493, 4496, 4501, 4503, 4505, 4600.
Melbourne and Metropolitan Board of Works Bill, 2632.
Melbourne Underground Rail Loop Bill, 2392.
Members—Qualification of Mr. Walsh, 88. Payment to Mr. Walsh, 349. Resignation of Mr. Hamer, 4033.
Ministry, The—Appointment of Mr. Hamer as Deputy Leader of Parliamentary Liberal Party, 4833.
Motor Car (Amendment) Bill, 987.
Motor Car (Driving Offences) Bill, 5293, 5296, 5308, 5309, 5310.
Walton, Hon. J. M.— continued.

Motor Car (Fees) Bill, 3172.
Motor Car (Safety) Bill, 3450.
Municipalities—Payment of pay-roll tax, 862. Special funds, 1621.
Parliamentary Superannuation Bill, 5107.
Personal Explanation—Sale of shares in Geelong Gas Company, 4807, 4808, 4809, 4810.
Point of Order—Reference to documents quoted, 78.
Princes Gate Plaza—Safety, 104.
Private Bills—Cost, 4834.
Registration of Births Deaths and Marriages (Amendment) Bill, 1518.
Road Safety Committee—Reports presented: Compulsory breath analysis tests, 356; alcohol and road accidents, 2383; permits for learner drivers, 4690.
Road Traffic (Amendment) Bill, 777, 781.
Road Traffic (Road Safety and Traffic Authority) Bill, 3161.
Summary Offences (Trespass to Farms) Bill, 1526.
Supply (July to September) Bill, 4833.
Town and Country Planning (Amendment) Bill, 5030, 5101.
Transportation—Report of Dr. Stewart Joy, 1779, 1861.
Travel Agencies—Registration, 862.
Uniform Building Regulations—Building permits issued by Melbourne City Council, 4157.
Weights and Measures (Amendment) Bill, 1538.

Ward, Hon. H. R. (South-Eastern Province).
Address-in-Reply, 463.
Adult Education—Government support, 470.
Agriculture, Department of—Education of farmers, 464.
Anzac Day—Payments to patriotic funds from football fixtures, 4945.
Coal Mines (Pensions Increase) Bill, 1536.
Education—Expenditure, 469.
Education Department—Teachers' strike at Pakenham High School, 4947. Provision of teacher aides, 4947. Need for high schools in Frankston area, 4947. Payment of salary increases to teachers, 4947.

Ward, Hon. H. R.—continued.

Environment Protection Bill, 3476, 3494.
Farmers—Education of, 464.
Hospitals and Charities Commission—Southern Peninsula Hospital, Rosebud, 4631. Provision of funds for institutions, 4178.
Labour and Industry, Department of—Closure of chemists' shops on Easter Saturday, 4946.
Land Conservation Bill, 1878.
Local Authorities Superannuation (Disability Benefits) Bill, 2262.
Local Government (Further Amendment) Bill, 4494, 4499, 4506.
McClelland Art Gallery—Establishment, 4945.
Members—Services of Mr. Cathie, 470.
Municipalities—Subsidies for beach maintenance, 468.
Phillip Island—Study of flora and fauna, 467. Transport of pipes for water and sewerage works, 4948.
Port Phillip Bay—Condition of beaches, 468.
Public Buildings—Aesthetic qualities, 470.
Public Works and Services Bill, 3343.
Public Works Department—Activities in South-Eastern Province, 4948.
Scaffolding Bill, 5268.
Secondary Industries—Financial position, 466.
Social Welfare—Establishment of Ministry, 4946.
Social Welfare Bill, 3663, 3664.
State Rivers and Water Supply Commission—Discolouration of water on Mornington Peninsula, 4949.
Summary Offences (Trespass to Farms) Bill, 1527.
Supply (July to September) Bill, 4945.
Teacher Housing Bill, 3046, 3052.
Teaching Service (Tribunal) Bill, 2884.
Totalizator Agency Board—Facilities for patrons, 4946.
Trotting Control Board—Allocation of dates, 4946.
Universities—Expenditure, 469. Scope of fourth university, 469.
Urban Renewal Bill, 2415.
Victorian Railways—Construction of Yarra railway station, 4948. Service to Wonthaggi, 4948.
Ward, Hon. H. R.—continued.

Workers Compensation Bill, 3772.
Youth Advisory Council—Application forms for grants, 4946.

Water (Amendment) Bill—Received from Assembly and first reading, 1552; second reading, 1629, 2286; Committee and remaining stages, 2289.

Water (Further Amendment) Bill—Received from Assembly and first reading, 2738; second reading, 2776, 3157; Committee, 3160; remaining stages, 3161.

Water Supply Works and Services Bill—Received from Assembly and first reading, 2526; second reading, 2536, 2642; Committee, 2648; remaining stages, 2652.

Weights and Measures (Amendment) Bill—Introduction and first reading, 1244; second reading, 1358, 1538; remaining stages, 1539.

Werribee Water Trust—Water supply for Werribee area, 5134, (qn.) 5241, 5429. Takeover by Melbourne and Metropolitan Board of Works, (qn.) 5241.


Westernport Development Bill—Received from Assembly and first reading, 1677; second reading, 1785, 2426; Committee, 2429; remaining stages, 2431.

Western Port Regional Planning Authority—Industrial Development Advisory Council: Members, (qn.) 5087; function, (qn.) 5087. Report on industrial development, (qn.) 5088.

Western Port Steel Works (Development Control) Bill—Received from Assembly, 3148; declared a private Bill, 3148; motion to treat as public Bill agreed to, 3148; first reading, 3148; second reading, 3166, 3352; remaining stages, 3352.

West Gate Bridge Disaster—Condolences, 977; adjournment of House as mark of respect to victims, 977. Assistance rendered by Footscray civil defence organization, 1638.

West Gate Bridge Royal Commission Bill—Received from Assembly and first reading, 974; second reading, 974, 977; Committee, 981; remaining stages, 984.

West Melbourne Market Land (Amendment) Bill—Received from Assembly and first reading, 560; second reading, 573, 782; Committee, 784; remaining stages, 785.


Wheat Marketing (Amendment) Bill—Introduction and first reading, 1677; second reading, 1793, 2021; Committee, 2030; remaining stages, 2034.

Wheat Marketing (Special Quotas) Bill—Introduction and first reading, 5; second reading, 11; Committee, 19; remaining stages, 21.

Wheat Quota Review Committee—Appeals, (qns.) 3444, 3856.

Wilson's Promontory National Park—Species of introduced wildlife destroyed, (qn.) 354, 897. Suggested burning off, 897.

Wodonga Lands Exchange Bill—Received from Assembly and first reading, 2426; second reading, 2529, 2631; Committee and remaining stages, 2632.

Wombats. (See "Vermin and Noxious Weeds (Amendment) Bill (No. 2).")

Women—In work force, 1664. Provision of child-minding centres for married women workers, 1664.


Workers Compensation—South Australian legislation, 4940.

Workers Compensation Bill—Received from Assembly and first reading, 3041; second reading, 3170, 3768; Committee, 3774; remaining stages, 3775.
Workers Compensation Board—Cases pending, (qn.) 3855.


Working Week—Effect of 35-hour week, 1647, 1662, 1670.

Wrongs (Industrial Accidents) Bill—Introduction and first reading, 356.

Yarra Glen Racing Club—Loss of mid-week racing days, 1642.

Yarra River—Suggested system of locks, 5420.

Yarra Valley—Development, 5136. Suggested declaration as national park, 5420.

Youth Advisory Council—Application forms for grants, 4946.
INDEX

VOLS. 299, 300, 301, 302.

LEGISLATIVE ASSEMBLY.

A.


Aboriginal Lands Bill—Appropriation resolution, 1293; introduction and first reading, 1293; second reading, 1419, 1762; Committee, 1771, 2328; remaining stages, 2338.

Abortion—Inquiry by Mr. Kaye, Q.C.: Report, (qns.) 109, 2051; Ministerial statement, 115; motion that an address be presented to Governor praying that documents be laid before House, 180; cost, (qn.) 902. Delay in prosecutions, (qn.) 1173. Reform in abortion law, (qns.) 2051, 4530. Prosecutions and convictions, (qn.) 3060.

Adoption Agencies—Government assistance, (qn.) 1009.

Aerial Spraying Control (Amendment) Bill—Received from Council and first reading, 1612; second reading, 1813, 3625; remaining stages, 3626.

Aged Persons. (See “Hospitals and Charities Commission—Geriatric Services.”)

Agricultural and Pastoral Societies—Sale of wheat, (qn.) 485.


Aircraft—Third-party insurance, (qns.) 531, 532, 534.

Aircraft Industry—Submissions to Commonwealth on stability, (qn.) 4394.

Albert Park Committee of Management—Grants and subsidies, (qn.) 2045.

Albert Park Land Bill—Introduction and first reading, 4226; second reading, 4321, 4543; Committee and remaining stages, 4544.

Alcoa of Australia (W.A.) N.L. Bill—Introduction and first reading, 4627; declared a private Bill, 4753; leave for motion to treat as public Bill refused, 4753; second reading, 4755; second reading declared null and void, 4764; motion to treat as public Bill agreed to, 4867;
INDEX.

Alcoa of Australia (W.A.) N.L. Bill—continued.
  second reading, 4867; recission of Order of the Day for second-reading agreed to, 4905; second reading, 5006; Committee, 5007; remaining stages, 5008.

Alcoholic Drinks—Petitions re sale only in licensed premises, 4413, 4865, 5156, 5157, 5325, 5326. At football grounds, (qns.) 4959.

Alcoholics and Drug-dependent Persons—Assessment and treatment centres, (qns.) 1467, 1558, 2050, 4210. Pleasant View centre, (qn.) 4221.

Amos, Mr. D. G. I. (Morwell).
  Address-in-Reply, 519.
  Budget for Year 1970-71, 1226.
  Companies—Interest rates and charges, 1228.
  Develop Victoria Council, 301.
  Education Department—Traralgon High School chaplaincy committee, 815. Insurance cover on transport of pupils during school hours, 3145. Visual aid education and swimming instruction in country schools, 3145. Commercial Road, Morwell, Primary School, 3941. Yallourn North Primary School, 4098. Teacher housing: In country areas, 4313; at Mirboo North, 4569. Deduction of union fees from teachers' salaries, 4623. Payment of wage increases to secondary teachers, 4623. Traralgon Technical School, 5043.
  Maryvale High School, 5324.
  Football—Alcoholic drinks at football grounds, 4959.

Amos, Mr. D. G. I.—continued.
  Gippsland Lakes—Pollution, 4744, 5318.
  Government Departments and Instrumentalities — Effect of Government economies, 4665.
  Grievances, 5043.
  Health, Department of—Piggeries, 2625, 2667, 4964.
  Labour and Industry, Department of—Activities of Terracotta Textural Brick Company, Morwell, 1560.
  Lands Department—Policy on noxious weeds, 2307.
  Land Tax Bill, 2842, 2948.
  Local Authorities Superannuation (Disability Benefits) Act—Proclamation, 4151.
  Margarine—Restrictions on production, 5318.
  Mental Health Authority—Administration, 3913.
  Mentally Retarded Children—Financial assistance for Cooinda Hill day training centre, 299, 4056.
  Motor Registration Branch—Suggested section for Morwell, 709. Driving licence testing at Morwell, 4052.
  Municipalities—Subsidies for home-help services, 3633. Proclamation of Local Authorities Superannuation (Disability Benefits) Act, 4151.
  Nursing Profession—Suggested college training, 2905.

Pollution—Of Gippsland Lakes, 4744.

Poverty—in country areas, 520.

Prisons Division—Provision of summer uniforms, 1563, 1908.

Public Works Committee—Inquiry into future of Yallourn, 303.


Social Welfare Bill, 3289.

Stamps Act—Interest rates, 489, 520. Payment of duty by credit unions, 520, 994.

Stamps Bill, 1332.

Stamps (Credit Business) Bill, 5063.


State Development Bill, 3118.


State Forests Works and Services Bill, 1729, 1737.

State Rivers and Water Supply Commission—Mirboo North water supply, 1509.

Summary Offences (Trespassers) Bill, 3590, 3613.

Supply, 4665.

Ustashi—Allegations of violence, 399.


Victorian Railways—Concessions for decentralized industries, 1226. Purchase of railway land by municipalities, 3190. Gippsland service, 4054.

Water Supply Works and Services Bill, 2515, 2519.

Waterworks Trusts—Government assistance, 1386.


Anzac Day—Proclamation of Monday, 26th April, 1971, as a public holiday, (qn.) 3939, (qn.) 4053, 4274. Industrial operations on 26th April, (qn.) 5036. Railway services, (qn.) 4219.

Apartheid—Visit of South African cricket team, (qn.) 4741. Statement of Prime Minister, (qns.) 4744, 4745.

Appeal Costs Fund Bill—Introduction and first reading, 4226; second reading, 4324, 4756; remaining stages, 4757.

Apprenticeship (Amendment) Bill—Introduction and first reading, 825; second reading, 1017, 1590; appropriation resolution, 1596; Committee, 1596; third reading, 1609.


Appropriation Bill—All stages, 3441.

Architects (Amendment) Bill—Received from Council and first reading, 650; second reading, 732, 3745; Committee and remaining stages, 3747.

Audit (Auditor-General) Bill—Introduction and first reading, 1292; second reading, 1300, 1428; Committee and remaining stages, 1429.


Audit (Recovery of Overpayments) Bill—Introduction and first reading, 3832; second reading, 3927, 5174; Committee, 5178; remaining stages, 5179. Council amendment dealt with, 5399.


Australian Natives Association—Consolidated Hospital Benefit Fund, (qns.) 3877, 4954.

Australian Paper Manufacturers Ltd.— Destruction of vermin and noxious weeds, (qns.) 2865.


Axedale—Community services, 515.

B.

Bailey Rocks—Extraction of green granite, (qns.) 4053, 4102.

Balfour, Mr. J. C. M. (Narracan).


Brown Coal—Resources in Yallourn-Sale district, 1098.


Coal Mines (Pensions) Bill, 4628, 4647.


Coal Mines (Pensions Increase) Bill, 616, 746, 748, 750, 751, 948.

Coal Mine Workers Pensions Fund—Actuarial investigation, 4624.

Cordite Avenue Bridge, Maribyrnong—Progress, 297.

Balfour, Mr. J. C. M.—continued.


Decentralization — Declared industries, 3062.

Dog Bill, 2311, 3751, 3753, 3754.

Environment Protection Act—Proclamation, 4624.

Flammable Liquids — Inspection of vehicles, 1915.


Gas and Fuel Corporation (Borrowing) Bill, 179, 333, 748, 750, 751.

Gas and Fuel Corporation (Geelong Gas) Bill, 4627, 4646, 4647, 4763, 4764.

Gas and Fuel Corporation (Pipelines) Bill, 4866, 4886, 5170, 5173, 5174.


Gas Distribution—Franchise areas, 1099.

Gas Franchises Bill, 1292, 1486, 1488.


Geelong Gas Company — Trading in shares, 4780.

Balfour, Mr. J. C. M.—continued.

Green Granite—Mining at Bailey Rocks, 4102, 4053.
Groundwater (Amendment) Bill, 144, 203, 204, 205, 540, 541, 542, 3619.
Lakes Entrance—Sand bar, 443.
La Trobe University—Vacancy on council, 1967.
Local Authorities Superannuation (Disability Benefits) Bill, 2339.
Local Government Department—Subsidies to municipalities, 704.
Marketing of Primary Products (Amendment) Bill, 4351.
Meat Industry—Inspectors, 5316.
Melbourne and Metropolitan Board of Works—Pedestrian crossing, Reynard Street, Pascoe Vale South, 297. Overpass for Coonans Road, Pascoe Vale South, 393. Membership of planning committee, 297. Revenue and expenditure in Sunshine, 484, 528. Incidence of rates on pensioners, 239.
Metropolitan Fire Brigades Board—Contributions by municipalities, 606.
Mines Department—Licence for quarry at South Morang, 524. Bore testing for water supply for Harrow, 4736.
Ministerial Statement—Proposed abandonment of tramways at Ballarat and Bendigo, 139, 2481.
Money Lenders (Prescribed Interest) Bill, 828.
Moorabbin Airport—Zoning of land in vicinity of runway, 491.
National Parks—Purchase of land for additions, 3062.
National Parks Bill, 1725, 1727, 1728, 3204, 3210, 3211, 3212, 3213.
Nonferral Pty. Ltd., Keon Park—Building permit, 297.
Off-shore Minerals—Control, 4745.
Oil and Gas Resources—Prevention of pollution, 3189.
Personal Explanation—Question on Notice Paper, 1693.
Phillip Island Conservation Bill, 1107, 1307, 1311.
Pipelines (Amendment) Bill, 4866, 4873, 4874, 5165, 5231, 5232.
Pollution—Preventive measures in Bass Strait oilfields, 3169.
Princess Margaret Rose Caves Reserve—Power supply, 1098, 5149.
Queen Victoria Market—Development of site, 240.
Racing (Amendment) Bill, 3223.
State Development Bill, 1939, 1942, 3134, 3136, 3141, 3142.
INDEX.

Balfour, Mr. J. C. M.—continued.


Stock (Artificial Breeding) (Amendment) Bill, 3925, 3995.

Tomato Processing Industry (Amendment) Bill, 2443.

Tourism—Formation of regional tourist councils, 4953.

Tullamarine Freeway—Suggested boundary between Essendon and Brunswick, and between Essendon and Coburg, 703.

Victorian Dairy Produce Board—Cheese: Manufacture, 4521; consumption, 4521; export and import, 4521.


Victorian Railways—Grade separation at Camp Road, Broadmeadows, 483.

Weights and Measures (Amendment) Bill, 1612, 1815.

Westernport Development Bill, 824, 943, 945, 1761.

— continued.

Balfour, Mr. J. C. M.—continued.

Western Port Steel Works (Development Control) Bill, 2310, 2311.

Yallourn—State Electricity Commission committee on future of township, 238. Town advisory committee, 239. Compensation for businessmen, 1281.


Barley Marketing Bill — Received from Council and first reading, 4688; second reading, 4750, 5365; remaining stages, 5367.

Bendigo Tooling Company—Land in Shire of Marong, (qn.) 4864.


Bicentenary of Australia—Captain Cook literary awards, (qn.) 1807.

Billing, Mr. N. A. W. (Heatherton).

Breakfast Foods—Inclusion of plastic toys in packets, 1619.

Building Industry—Activities of S. Maber, Mentone, 5239.

Chairman of Committees—Election of Sir Edgar Tanner, 54.

Education Department—Education of migrant children, 399. Westall High School, 399.

Extractive Industries — In Heatherton electorate, 4675.

Health, Department of—Subsidies for preschool centres, 4674.
Billing, Mr. N. A. W.—continued.

Hospitals and Charities Commission—Hospital management, 4674. Commonwealth payments for pensioner patients, 4674.

Medical Practitioners Bill, 2619, 2620, 2624.

Melbourne Underground Rail Loop Bill, 2116.

Metropolitan Fire Brigades (Amendment) Bill, 1946.

Motor Car (Amendment) Bill, 429.

Motor Car (Safety) Bill, 2810.

Motor Registration Branch—Driving licence testing at Springvale and Dandenong, 4530.

Motor Vehicles—Unsafe loading, 4963.

Supply, 4674.

Birrell, Mr. H. W.—continued.

Health, Department of—Fluoridation of water supplies, 2304.


Housing Commission—Flats for elderly citizens at East Geelong, 4526.

Inflation—Incidence, 4440.

Labour and Industry (Amendment) Bill, 2450.

Labour and Industry (Shop Closing) Bill, 943.

Land Conservation Bill, 628.

Lotteries Gaming and Betting (Amendment) Bill, 548.

Melbourne Underground Rail Loop Bill, 2131.

Nurses—Salaries, 1198.

Oil and Gas Resources—Royalties, 1197.

Petition—Dental clinic at Geelong, 248.

Points of Order—Need for appropriation resolution, 1452. Scope of debate on Supply schedule, 4433. Reflection on Chair, 4440. Expression objected to, 4662.

Police Department—Salaries, 1198. Bank hold-ups, 2199, 2661.

Political Parties—Debts, 610.

Price Control—Effectiveness, 4440.

Public Works Department—Tenders for Matthew Flinders Girls High School, Geelong, 4206.

Railway Works and Services Bill, 2676.

Roads—Funds for works in provincial cities, 910.

Scaffolding Bill, 4994.

State Electricity Commission—South Geelong briquette depot, 1914.

State Finance—Imposition of stamp duty, 1197. Accounting procedures, 4441.


Summary Offences (Trespassers) Bill, 3594.

Supply, 4439.

Tourism, Ministry of—Tourist bureau in Geelong, 2299.

Urban Renewal Bill (No. 2), 1427.

Birrell, Mr. H. W.—continued.

Water Supply Works and Services Bill, 2502.
Waterworks and Sewerage Trusts—Subsidies, 5046.

Boilers and Pressure Vessels Bill—Introduction and first reading, 144; second reading, 200, 553; Committee, 555; remaining stages, 556. Council amendment dealt with, 1612.

Bolte, Sir Henry (Hampden).
Adjourment of Sitting—Answers to matters raised, 3065, 5403.
Albert Park Committee of Management—Financial assistance, 2045.
Alcoa of Australia (W.A.) N.L. Bill, 5007.
Alcoholics and Drug-dependent Persons Act—Establishment of assessment clinics, 2050.
Appropriation Bill, 3441.
Audit (Recovery of Overpayments) Bill, 3832, 3927, 5174, 5177, 5178, 5399.
Budget—Time of presentation, 302.
Budget for year 1970-71, 405.
Building Industry—Registration of home builders, 3520.
Business of the House—Day of meeting, 70. Replies to matters raised on motion for adjournment of sitting, 3065.
Child Care—Inquiry into finances of institutions, 4516.
Christmas Felicitations, 3758.
Coal Mines (Pensions) Bill, 4896.
Commonwealth Constitution—Proposed convention, 4108, 4622.
Constitution Act Amendment (Responsible Ministers) Bill, Thé, 1588.
Crown Land—Sale by auction, 1169.
Dartmouth Dam—Withdrawal of finance, 3824.
Deputy Speaker, Thé—Temporary relief in chair, 3368.
Education—Schools for handicapped children, 4304.
Education Department—Morwell High School chaplaincy committee, 815.
Payment of teachers on national service, 2668.
Electoral—Failures to vote, 160.

Bolte, Sir Henry—continued.
Environment Protection Act—Proclamation of sections, 4527.
Family Planning Clinics—Subsidies, 1678.
Farm Water Storages—Financial assistance, 2908, 3059.
Firearms—Uniform control legislation, 4614.
Floods—Damage and relief in Gippsland, 3824, 3935, 4529, 4622, 4860. Relief: For farmers, 3935; for municipalities, 3935.
Football—Alcoholic drinks at football grounds, 4959.
Gas Franchises Bill, 3231.
Gas, Natural—Sale to New South Wales, 111, 2308, 4056. Cost to Gas and Fuel Corporation, 2309. Use in Victoria, 4056.
Geelong Gas Company—Trading in shares, 4781.
Geriatrics—Domiciliary care for the aged, 3064, 3065. Commonwealth assistance, 4055, 4203.
Gordon House—Alternative accommodation, 4034.
Government Boards and Commissions—Number and costs, 993.
Government Finance—Suggested inquiry, 4034.
Grievance Day, 2564.
Hamilton Arts Council Eisteddfod Committee—Government grant, 1800.
Health, Department of—Day nurseries: Financing, 3186, 4051; investigation of needs, 3950.
Historical Societies—Grants and subsidies, 993, 1170.
Bolte, Sir Henry—continued.

Home Finance (Amendment) Bill, 144.
Hospitals and Charities Commission—
Hospital finances, 4317, 4412, 4413, 4959. Inquiry into hospital finances and management, 4960, 5154.
Hotels—Ties to breweries, 4056.
House Committee—Appointment, 55.
Howard Florey Institute of Experimental Physiology and Medicine Bill, 4530, 4531.
Joint Select Committee (Meat Industry) Bill, 56.
Joint Sittings of Parliament—Council vacancies: Monash University, 652, 653, 654; Victoria Institute of Colleges, 652, 653, 654; La Trobe University, 2523, 2524, 2525.
Land—Return of Point Nepean area from Commonwealth to State, 1554.
Land Conservation Bill, 145.
Land Tax Bill, 2057, 2202.
Library Committee—Appointment, 55.
Liquefied Petroleum Gas—Export from Bass Strait sources, 4201.
Liquor Control Commission—Cost of proposed duplication, 4745.
Literature—Government grant for Victorian writers, 230.
Loan Application Bills—Presentation, 1103.
Margarine—Restrictions on production, 5318.
Meat Industry Committee—Appointment, 55.
Melbourne and Metropolitan Board of Works—Request for Commonwealth grant, 993. City ring road, 1173, 1381.
Melbourne and Metropolitan Tramways Board—Annual reports, 1888.
Melbourne City Council—Suggested replacement by commission, 2666.
Melbourne Cup Day, 488.
Melbourne Underground Rail Loop—Finance, 3952.
Melbourne Underground Rail Loop Bill, 2123.
Members—Salaries, 2306. Resignation of Sir Arthur Rylah, 3893.
Ministry, The—Appointments, 44, 3736, 5150. Portfolio of Chief Secretary, 3896.
INDEX.

Bolte, Sir Henry—continued.

debate: On Estimates, 3412, 3426; on motion for adjournment of sitting, 3635, 3849, 4099.
Police Department—Payment for overtime, 3827.
Pollution—Oil slick off Gippsland coast, 3067.
Poverty—Commonwealth Government inquiries, 3735, 3897.
Premier’s Department—Effect of Government economies, 3869.
Price Control—Suggested introduction, 1389, 3901.
Primary Industries—Farm finance, 45. Assistance for farmers, 2051. Reconstruction, 3528.
Printing Committee—Appointment, 55.
Probate Duty Act—Proclamation, 4106, 4960.
Probate Duty Bill, 2313, 2338.
Public Account Bill, 825.
Public Accounts, Committee of—Appointment, 54.
Public Transport—Subsidies for provincial services, 1807.
Questions without Notice—Placing on Notice Paper, 1010.
Receipt Tax—Ministerial statement, 820.
Road Safety Committee—Appointment, 55.
Roads (Special Projects) Fund—Receipts and projects, 383.
Rural Reconstruction Scheme—Commonwealth proposals, 4052. Funds from farmers’ debt adjustment scheme, 4100.
Search and Rescue Operations—Provision of funds, 3898.
Shrine of Remembrance—Repairs, 4614.
Sky High Restaurant—Use of Government funds, 4743.

Social Welfare—Supplementary assistance for families, 2045. Subsidies to municipalities and organizations, 2045.
Social Welfare Bill, 3303.
Speaker, The—Election of the Hon. Vernon Christie, 43.
Stamps Bill, 721.
Stamps (Credit Business) Bill, 4866, 4888.
Stamps (Receipt Duty Abolition) Bill, 825.
Standing Orders Committee—Appointment, 55.
State Accident Insurance Office—Scope of operations, 3935.
State Development—Proposed establishment of department, 159. Government assistance for decentralization, 1381.
State Development Bill, 1293.
State Development Committee—Appointment, 55.
State Electricity Commission—Closure of Castlemaine office, 2067.
State Savings Bank—Loans to municipalities, 901. Personal loans, 1382.
State Superannuation Board—Mailing of cheques, 1693.
Statute Law Revision Committee—Appointment, 54.
Statutory Salaries Bill, 3743, 3744.
St. John Ambulance Service—Grants, 3520.
Strangers—Readmission to gallery, 2718, 2724.
Bolte, Sir Henry—continued.

Student Demonstration — Allegations against police, 318.
Subordinate Legislation Committee—Appointment, 55.
Superannuation—Portability, 3065.
Superannuation (Amendment) Bill, 2210, 2221.
Supply, 57, 145, 3833.
Supply, Committee of — Suspension of Standing Order No. 273A, 55.
Teachers Tribunal—Reconstruction, 530.
Teaching Service (Tribunal) Bill, 2381.
Totalizator Agency Board — Football betting, 4413. Additional revenue for hospitals, 5322.
Tourism, Ministry of — Tourist bureau for Geelong, 2299.
Trade Agencies—Establishment overseas, 4525.
Transport—Proposed inquiry, 110, 533.
Treasury—Effect of Government economies, 3870, 4035.
Universities—Staff salaries, 4054, 4223. Commonwealth grants, 4223.
Urban Renewal Authorities—Finance, 2561.
Victoria—Territorial waters, 245.
Victoria Institute of Colleges—Council vacancy, 652, 653, 654. Reduction in Budget estimate, 2054, 2055. Payment of national wage increase to staff, 4622.
Victorian Little Athletics Association — Financial assistance, 2056.
Ways and Means, Committee of—Suspension of Standing Order No. 273A, 55.
West Gate Bridge Disaster—Condolences, 1016. Financial assistance for trade unions at Royal Commission, 2051.
West Gate Bridge Royal Commission Bill, 1014, 1017.
Wheat Industry—Assistance for growers, 49, 305. Sales to China, 4741.

Bolte, Sir Henry—continued.

Wool Industry—Sales at Geelong and Portland, 4361.
Yallourn—Future of township, 304.
Yarra Bend National Park Trust—Financial assistance, 2045.

Bornstein, Mr. D. L. F. (Brunswick East).
Aboriginal Affairs Advisory Committee—Election of members, 527.
Aboriginal Lands Bill, 1762, 1771, 1773, 1776, 2328, 2331, 2337.
Address-in-Reply, 507.
Child Care—Inquiry into finances of institutions, 4048, 4516.
Clean Air Committee—Recommendation on petrol additives, 2053.
Education — Schools for handicapped children, 4304.

Electoral—Qualification of candidates for election to Parliament, 3940.

Employers and Employées (Attachment of Wages) Bill, 2323.

Geriatric Services—Waiting lists for admission to institutions, 512. Commonwealth assistance, 4055.

Gordon House—Alternative accommodation for residents, 4034.


Health, Department of—Payment of municipal home-help supervisors while attending conferences, 913, 2781. Dental services at Allambie Reception Centre, 1920, 2433. Booklet, Melbourne for the Handicapped, 1928. Investigation of needs of day nurseries, 3950.

Hospital Benefits Association—Election of contributor representatives, 612. Articles of association, 801.

Hospitals—Wages at private hospitals, 4222, 5322.

Hospitals and Charities Commission—Subsidies: To inmates of nursing homes, 177; to persons awaiting admittance to benevolent homes, 394. Public hospital fees, 2202.


Labour and Industry, Department of—Illegal employment of children, 2052. Wages at private hospitals, 4222, 5322.

Law Department—Convictions for abortion, prostitution and homosexual offences, 3060. Imprisonment without trial, 4311.

Mental Health Authority—Wards of State on waiting lists, 1008. Psychiatric nursing staff, 2057. Publications, 3365.

Mentally Retarded Children—Land for Richmond—Hawthorn day centre, 173. Transfer from Allambie Reception Centre, 2786, 2787.

Municipalities—Payment of home-help supervisors while attending conferences, 913, 2781. Provision of social welfare services, 1104, 1679, 4110, 4620, 4855, 4856. Employment of welfare officers, 3364.


Public Service—Professionally qualified social workers, 901, 1905.

Public Works Department—Maintenance of schools in Brunswick East electorate, 4309.

Racism and Racial Discrimination—United Nations resolution, 4744.


Social Welfare Bill, 3253, 3297, 3298, 3300, 3301, 3302, 3306, 3307, 3308, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3757.

Bornstein, Mr. D. L. F.—continued.


South African Cricket Team—Suggested boycott of Australian tour, 4741.

Summary Offences—Offences, 5146. Penalties, 5146.

University of Melbourne—Quota system for social studies department, 511.

Urban Renewal Authorities—Finance, 2561.

Urban Renewal Bill (No. 2), 1398, 1493, 1839.

Victoria Institute of Colleges—Application of national wage increase to academic salaries, 5040.

Victorian Railways—Leasing of North Carlton land, 909, 1920, 2048, 3887, 3901, 3902, 3945, 4410.


Youth Organizations—Financial assistance, 4049, 4858. In Brunswick East electorate, 4858.

Borthwick, Mr. W. A.—continued.


Albert Park Land Bill, 4226, 4321.

Barley Marketing Bill, 4688, 4750.

Carlton Bowling Club—Extension of area occupied, 913.

Cattle Compensation Fund—Finance, 1686.

Country Fire Authority (Borrowing Powers) Bill, 1293, 1397.

Dairying Industry—Reconstruction, 533, 5320.

East Melbourne Land Bill, 1928, 1953, 2483, 2484, 2485.

Education Department—School assembly halls, 2785.

Environment Protection Bill, 1760, 1816, 1829, 2980, 2982, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2996, 2997, 2998.

Fertilizers and Stock Foods (Labelling) Bill, 1051, 1297.

Foot and Mouth Disease—Use of goat hair in floor coverings, 2434.

Forests Commission—Kulkyne State Forest, 914.

Geelong Land (Special Grant) Bill, 3846, 3931.

Grain Elevators Board—Acceptance of non-quota wheat, 528. Storage capacity, 528. Acceptance of quota and special quota wheat, 2050.

Grassmere Land Bill, 4866, 4872.

Honey Production—Compensation for loss of hives, 4856.


Kulkyne State Forest—Grazing, 914.

Land (Amendment) Bill, 825, 929, 1452, 3616.

Land Conservation Bill, 147, 157, 622, 629, 635, 644, 645, 647, 649.


Reservation in western suburbs, 1683.


Land (Surrender to the Crown) Bill, 4866, 4967.

Marketing of Primary Products (Amendment) Bill, 4413.


Melbourne University Land Bill, 4226, 4321, 4757.


Motor Car (Fees) Bill, 2835.

National Parks Bill, 1392.

Point Ormond Restaurant—Establishment, 1289.

Points of Order—Relevancy of remarks, 3535, 3540.

Primary Industries—Frost damage to crops, 1559. Assistance for farmers, 3825.

Queen Victoria Market—Development of site, 240.

Revocation and Excision of Crown Reservations Bill, 1017, 1181.

Royal Botanic Gardens—Replacement of kiosk, 1565.

Royal Park—Proposal golf course, 1175.


Loans to school advisory councils, 2785. Protection of farmers against creditors, 4958. McNicol and Retreat estates, 5241.


Borthwick, Mr. W. A.—continued.

Soldier Settlement Bill, 179, 209, 212, 558, 559.

State Development—Land for decentralized industries, 4862.

Stock Diseases Act—Application of provisions to western Victoria, 397.

Stock Diseases (Amendment) Bill, 2998.

Survey Co-ordination (Place Names) Bill, 4628, 4749.

Tomato Processing Industry (Amendment) Bill, 2360.

Vermin and Noxious Weeds (Amendment) Bill, 1292, 1457, 1742.

Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4226, 4319, 4548, 4550.

Vermin and Noxious Weeds Destruction Board—Policy on noxious weeds, 2307.


Victoria Institute of Colleges—Council vacancies, 4783.

West Melbourne Market Land (Amendment) Bill, 179, 207.


Wheat Marketing (Amendment) Bill, 2152, 2318.

Wheat Marketing (Special Quotas) Bill, 63.

Wodonga Lands Exchange Bill, 1567, 1695, 2486.


Bread Industry—Illegal deliveries, (qn.) 171.

Bridges—Inspection of traffic bridges, (qns.) 491, 1286. (See also “Country Roads Board” and “Victorian Railways.”)

Broad, Mr. H. G. (Swan Hill).

Address-in-Reply, 513.

Architects (Amendment) Bill, 3746, 3748.

Criminal Assaults—Compensation for victims, 1382.

Dog Bill, 3748.

Housing Commission—Fly-wire screens for homes, 814.
Labour and Industry (Amendment) Bill, 1758.

Law and Order—Observance of laws, 514.

Litter (Proceedings for Offences) Bill, 5001.

Local Government (Municipalities Assistance Fund) Bill, 4330.

Melbourne Underground Rail Loop Bill, 2151.

Methodist Church (Victoria) Property Trust Bill, 1837, 1340.

Probate Duty—On rural properties, 4638.

Public Works and Services Bill, 2908, 2910, 2922.

Registration of Births Deaths and Marriages (Amendment) Bill, 736, 742.

Revocation and Excision of Crown Reservations Bill, 1590.

Robinvale—Sewage treatment works, 1102.

Rural Finance and Settlement Commission—Finance, 514.

Second-hand Dealers (Charity Collectors) Bill, 2496.

State Development—Closure of flour mill at Kerang, 3848.

State Rivers and Water Supply Commission—Employment at Kerang construction depot, 3143.

Supply, 4637.

Water (Further Amendment) Bill, 2715.

Wheat Industry—Issue of quotas and special quotes, 4214.

Wheat Marketing (Amendment) Bill, 3529.

Brown Coal—Supplies in Yallourn—Sale district, (qns.) 1098.


Budget Papers—Form of presentation, 1110, 1119, 1132, 1148, 1158, 1192, 1196, 1207.

Budget Speech—Procedure for debate, 1110.

Building Industry—Registration and licensing of home builders, (qns.) 3420. Activities of S. Maber, 5237, 5240.

Building Societies (Amendment) Bill—Introduction and first reading, 1929; second reading, 2076, 4236; Committee 4241; third reading, 4242. Council amendments dealt with, 4974.

Burgin, C. W. (Polwarth).

Agriculture, Department of—Extension services, 272.

Dog Bill, 3752.

Labour and Industry (Amendment) Bill, 1752.

Land Conservation Bill, 639.

Local Government (Municipalities Assistance Fund) Bill, 4337.

Meat Industry—Fat lamb production, 272. Prices, 274.

Motor Car (Safety) Bill, 2813.

Point of Order—Expression objected to, 2348.


Public Works and Services Bill, 2930.

Rural Reconstruction Scheme—Acceptance of Commonwealth proposals, 5038.

Seeds Bill, 5347.

State Development Bill, 3129.

Stock Diseases (Amendment) Bill, 3755.

Summary Offences (Trespass to Farms) Bill, 957.

Supply, 272.

Vegetables—Increased prices of frozen vegetables, 274.

Water (Further Amendment) Bill, 2715.

Burwood Boys Home—Establishment, accommodation and Government subsidies, (qns.) 3061.


C.

Capital Gains Tax—Suggested imposition, 1216.

Captain Cook Bicentenary—Literary awards, (qns.) 1807, 1910.

Carlton Bowling Club—Extension, (qns.) 913.

Cattle Compensation Fund—Revenue and disbursements, (qns.) 1686.

Chairman of Committees, The (Sir Edgar Tanner)—continued.

Rulings and Statements as Deputy Speaker—

Debate—Conversations between members, 746, 1503, 4324. Detail of Bill to be discussed in Committee, 1413. Statements in debate, 1479, 1480. Relevancy of remarks, 622, 2128, 2247, 3198, 3535, 3536, 3910, 3958, 3979, 3980, 3989, 3990, 4132. Interjections, 2128, 2460, 3909, 3955, 3956. Right of member to call, 2126. Correct reference to honorable members, 2247. Reflection on Chair, 2460. Reference to financial arrangements of independent authority, 2585. Expressions objected to, 3283, 5205, 5206, 5207. Reference to possible amendment of Bill, 3568. Scope of debate on motion to appoint Select Committee to inquire into Teaching Service, 3957. Use of term "shadow Minister", 3977. Treatment of private Bill as public Bill, 4754, 4755. Report to Speaker that member was requested to withdraw expression, 5207.

Chairmen of Committees, Temporary—
Appointments, 54, 59.

Chair. (See "State Electricity Commission—Chair.")

Chief Secretary's Department—Restrictions on finance and staff, (qn.) 3872.

Child Care. (See "Social Welfare Department—Child Care" and "Health, Department of—Child Minding Centres").

Chocolates—Sale of under-weight products, (qn.) 4225.

Christie, Mr. Vernon Christie (Ivanhoe). (See "Speaker, The (The Hon. Vernon Christie.")

Christmas Felicitations, 3758.


Churchill Water and Sewerage Works Bill—Introduction and first reading, 3832; second reading, 3843, 4126; Committee and remaining stages, 4127.


Citizen Military Forces—Participation of Government employees, 5059.

Civil Aviation (Carriers' Liability) Bill—Introduction and first reading, 144; second reading, 195, 341; Committee, 344; remaining stages, 347.

Clarey, Mr. R. A.—continued.

Health, Department of—Carlton crèche and day nursery, 1925, 2197.

Housing Commission—Shops for Happy Valley estate, North Melbourne, 177. Lothian Street, North Melbourne, development, 805, 1466, 1926. Acquisition of properties in and proposals for Carlton area, 1003, 1466.

Land Tax Bill, 2837, 2848, 2948, 2951.

Local Authorities Superannuation (Disability Benefits) Bill, 2448, 3540.

Melbourne and Metropolitan Board of Works—City ring road, 1173, 1282, 1381.

Melbourne and Metropolitan Tramways Board—Financial results of operations, 811. Fares and loan indebtedness, 811.

Melbourne University Land Bill, 4757.

Money Lenders (Prescribed Interest) Bill, 1327.

Pay-roll Tax—Validity, 529, 1134, 3827.

Petition—Requesting restriction of sale of alcoholic drinks to licensed premises, 5325.

Points of Order—Scope of debate on Public Works and Services Bill, 2911. Expression objected to, 5205, 5207.


Probate Duty Bill, 2339, 2668.

Public Account Bill, 1442, 1447.

Public Works and Services Bill, 1723, 2737.

Royal Melbourne Hospital—Extension, 1174.

Stamps Bill, 1329, 1334, 1335.

Stamps (Receipt Duty Abolition) Bill, 1327, 1462.

State Accident Insurance Office—Profits, 800. Premiums, 800.


State Savings Bank of Victoria—Personal loans, 1381.

Superannuation (Amendment) Bill, 2824, 2826.

Trustee Companies (Perpetual Trustees Australia Limited) Bill, 744.

Clerk, The—Absence through illness, 4201.
Coal Mines (Pensions) Bill—Appropriation resolution, 4628; introduction and first reading, 4628; second reading, 4647, 4893; Committee and remaining stages, 4894.


Coal Mines (Pensions Increase) Bill—Appropriation resolution, 616; first reading, 617; second reading, 746, 946; Committee, 948; remaining stages, 950.

Coburg Lake—Maintenance, (qn.) 4039. Drainage control, (qn.) 4403.


Commissioners for Taking Affidavits. (See "Evidence (Registration of Commissioners) Bill.")


Commonwealth Industrial Court—Representations by unions, (qn.) 2052.

Commonwealth Industrial Gases Ltd.—Sale of products, (qn.) 4098, 4556.

Commonwealth Pay-roll Tax. (See "Taxation—Commonwealth Pay-roll Tax.")

Commonwealth Places (Administration of Laws) Bill—Introduction and first reading, 1393; second reading, 1506, 2215; Committee, 2220; remaining stages, 2220.

Community Welfare Foundation—Problems, (qn.) 5041.

Companies—continued.


Companies Bill—Introduction and first reading, 2443; second reading, 2815, 5184; resolution fixing fees, 5191; Committee, 5192.

Company Law Advisory Committee—Report on fund raising, share capital and debentures, 2057.


Consolidated Revenue (Final Supplementary Estimates 1969-70) Bill—All stages, 3442.

Consolidated Revenue (Supplementary Estimates 1969-70) Bill—All stages, 63.
Consolidated Revenue (Supply—July to September, 1970) Bill—All stages, 61.

Consolidated Revenue (Supply—October to December, 1970) Bill—All stages, 291.

Constitution Act Amendment (Reduction of Voting Age) Bill, The—Introduction and first reading, 3926.

Constitution Act Amendment (Responsible Ministers) Bill, The—Appropriation resolution, 1588; introduction and first reading, 1588; second reading, 1729, 2486; Committee and remaining stages, 2488.


Co-operative Housing Societies (Amendment) Bill—Introduction and first reading, 144; second reading, 189, 340; remaining stages, 341.

Corio Bay—Contamination of fish, (qn.) 2194.

Cosmopolitan Insurance Co. Ltd.—Activities, (qn.) 1008.

Country Fire Authority—Provision of fire trucks, 1225, (qn.) 1386.

Country Fire Authority (Borrowing Powers) Bill—Appropriation resolution, 1283; introduction and first reading, 1283; second reading, 1299, 1397; Committee, 1397; remaining stages, 1398.

Country Roads (Amendment) Bill—Introduction and first reading, 4097; second reading, 4122, 5378; Committee, 5382; remaining stages, 5384.


County Court (Jurisdiction) Bill—Introduction and first reading, 4111; second reading, 4121, 4351; Committee, 4355, 4774; remaining stages, 4775. Council amendments dealt with, 5397.

Crèches. (See "Health, Department of—Child Care Centres.")

Crellin, Mr. M. L. (Sandringham). Address-in-Reply, 632.

Environment Protection Bill, 2994.

Litter (Proceedings for Offences) Bill, 5003.

Melbourne Underground Rail Loop Bill, 2118.

Metropolitan Transportation Committee—Annual report, 633.

Motor Car (Safety) Bill, 2809.

Municipalities—Beach cleaning, 632.

Parliament—Film on procedures, systems and history, 635.

Point of Order—Statement in debate, 1151.

Police Department—Report by Colonel Sir Eric St. Johnston, 4254.
INDEX.

Creltin, Mr. M. L.—continued.

Pollution—Of coastal waters, 633.
Public Works Department—Pollution control measures, 633.
Road Safety—Driving licences: Withdrawal of licences, 634; issue at age of seventeen years, 634; issue of competition licences, 634.
Summary Offences (Trespassers) Bill, 3607.
Transport—Need for balanced system, 633. Inquiry into regulation system, 634.
Victorian Railways—Melbourne underground rail loop, 633.
West Gate Bridge Disaster—Pamphlet criticizing Royal Commission, 1340.

Crimes (Amendment) Bill—Introduction and first reading, 144; second reading, 187, 438; Committee, 441, 535; remaining stages, 539.


Criminal Assaults—Compensation for victims, (qn.) 1382.


Crown Proceedings (Forfeited Recognisances) Bill—Received from Council and first reading, 5179; second reading, 5311; remaining stages, 5334.

Cruelty to Animals. (See "Protection of Animals (Rodeos) Bill," "Rodeos" and "Royal Society for the Prevention of Cruelty to Animals.")

Curnow, Mr. E. J. (Kara Kara).

Address-in-Reply, 517.

Aerial Spraying Control (Amendment) Bill, 3625.

Agriculture, Department of—Appointment of apiary inspector, 4650.

Alcoholic Drinks—Petition requesting restriction of sale to licensed premises, 5156.

Apprenticeship (Amendment) Bill, 1606.

Apprenticeship Commission—Travelling allowances for apprentices, 246.

Budget for Year 1970-71, 1164.


Dog-racing—New tracks, 2784.


Education—Inequality, 518.


Estimates—For year 1970-71, 3380.

Forests Commission—Employees at St. Arnaud, 4273.

Grain Elevators Board—Acceptance of non-quota wheat, 528. Storage capacity, 528. Acceptance of quota and special quota wheat, 2050.

Grievances, 2587.

Honey Production—Appointment of Department of Agriculture apiary inspector, 4650. Outbreak of American foul brood, 4650.

Horse-racing—Additional racing dates, 1177.

Hospitals and Charities Commission—Grant for Avoca Bush Nursing Hospital, 2906. Members, 4103. Tenders for ambulances, 4103.


Insurance Companies—Suggested investigation of Cosmopolitan Insurance Company Limited, 1008.

Labour and Industry (Amendment) Bill, 1753.

Liquefied Petroleum Gas—Prices, 1165.

Local Government (Municipalities Assistance Fund) Bill, 4345.

Meat Industry—Import of New Zealand mutton and lamb, 1286, 2196.

Medical Practitioners—in country areas, 2056, 2587.
Curnow, Mr. E. J.—continued.

Melbourne and Metropolitan Tramways Board—Construction of trams, 2310.
Mentally Retarded Children—Transport to day centres in country areas, 534.
Municipalities—Problems of country municipalities, 518. Grants for municipal services, 1167. Audit fees, 2587.
Parliament House—Flagpole, 3188.
Pensioners—Medical treatment, 4863. Free drugs, 4863.
Petition—Requesting restriction of sale of alcoholic drinks to licensed premises, 5156.
Petrol—Country prices, 1165.
Police Department—Report on fire at Wedderburn, 308.
Pollution—Non-biodegradable detergents, 1011.
Primary Industry—Need for assistance, 518, 2051, 2588. Compensation for damage to crops, 1559, 2588.
Protection of Animals (Rodeos) Bill, 5384.
Reader’s Digest—Sales activities, 4650.
Rodeos—Cruelty to animals, 4734.
Rural Finance and Settlement Commission—Carry-on finance, 487, 1165. Assistance for decentralized industry, 530, 1012.
Rural Reconstruction Scheme—Retraining of farmers, 4316.
State Development, Department of—Decentralization: Of Government Departments, 519, 1165; funds available, 1164.
State Electricity Commission—Charges, 173. Repair and service of appliances, 1557.
State Superannuation Board—Mailing of cheques, 1693.
Stipendiary Magistrates—Travel in police vehicles, 3950.
Stock Diseases (Amendment) Bill, 3754.
Strangers—Readmission to gallery, 2721.
Summary Offences (Trespassers) Bill, 3589.

Curnow, Mr. E. J.—continued.

Summary Offences (Trespass to Farms) Bill, 956, 1055.
Supply, 4649.
Teaching Service (Tribunal) Bill, 2377, 2378, 2702.
Time-Life International—Sales activities, 4650.
Tomato Processing Industry (Amendment) Bill, 3623.
Universities—Opportunities for country students, 1167. Establishment of fourth university, 1167, 3380.
Water (Further Amendment) Bill, 2716.
Wheat Marketing (Amendment) Bill, 3538, 3540.

D.

Dairy Produce Board. (See “Primary Industries—Dairying Industry.”)
Daylight Saving—Introduction, (qn.) 531, 2574, 2581.
Decentralization. (See “State Development—Decentralization.”)
Demonstrations—Actions of demonstrators, 226. By public, 288. La Trobe University student demonstration: Allegations against members of Police Force, 307, (qn.) 2786. Filming of demonstrators, 4570, 4571, (qn.) 5322. (See also “Law and Order,” “Moratorium March” and “Summary Offences (Trespassers) Bill.”)
INDEX.

Dentists Bill—Introduction and first reading, 1809; second reading, 1809.

Deputy Speaker, The—Temporary relief in chair, 3368.

Detergents—Use of enzymes, (qns.) 4522, 5155, 5320.

Develop Victoria Council—Report by consultants, (qn.) 301.

Discharged Servicemen's Preference (Amendment) Bill—Introduction and first reading, 144; second reading, 187, 435; contingency notice of motion, 492; Committee, 494; remaining stages, 495.

Distinguished Visitor—The Hon. Dr. Vincent Tabone, Minister for Labour, Employment and Welfare, Malta, 3731.

Divisions—continued.

Aboriginal Affairs Bill—On Mr. Bornstein's amendment to clause 3, 1777.

Abortion Board of Inquiry: Ministerial Statement—On motion that House take note of the Ministerial statement, 138. On motion that an address be presented to Governor praying that documents be laid before House, 180.

Adjournment of the House—On motion for, 6336.

Audit (Recovery of Overpayments) Bill—On clause 3, as amended, 5179.

Criminal Appeals Bill—On second-reading motion, 1908; on Mr. Turnbull's amendment to clause 2, 2356; on Mr. Turnbull's amendment to clause 3, 2359.

Environment Protection Bill—On Mr. Edmund's amendment to clause 7, 2986.

Evidence (Registration of Commissioners) Bill—On clause 3, as amended, 4892.

Footwear Regulation Bill—On Mr. R. S. L. McDonald's amendment to clause 3, 503; on Mr. R. S. L. McDonald's amendment to add paragraph in sub-clause (1) of clause 4, 505; on Mr. R. S. L. McDonald's amendment to paragraph (c) of sub-clause (1) of clause 4, 505; on motion that Council amendments be disagreed with, 3623.

Gas Franchises Bill—On proposed new clause AA, 3253.

Labour and Industry (Shop Closing) Bill—On amendment to clause 2, 941.

Local Government (Further Amendment) Bill—On amendment to clause 4, 5372.

Mental Health Authority: Administration of Institutions—On motion for adjournment of House, 3925.

Metropolitan Fire Brigades (Amendment) Bill—On Mr. Floyd's amendment to clause 7, 1951.

Ministerial Statement: Abandonment of Tramways at Ballarat and Bendigo—On Mr. Trezise's amendment, 2482.

Money Lenders (Prescribed Interest) Bill—On motion for second reading, 1329.

Motor Car (Driving Offences) Bill—Clause 7: On amendment to sub-section (1) of section 80b, 5229; on amendment to sub-section (2) of section 80b, 5229; on amendment to sub-section (1) of section 80c, 5230; on amendment to section 80c, 5231.

Motor Car (Fees) Bill—On resolution fixing fees, 2835.

National Parks Bill—On second-reading motion, 3204.

Pipelines (Amendment) Bill—On Mr. Balfour's amendment to Mr. Wilton's amendment to clause 2, 5222.

Police Force—On amendment to motion that House take note of report by Colonel Sir Eric St. Johnson, 4272.

Protection of Animals (Rodeos) Bill—On clause 2, 5388.

Scaffolding Bill—On Mr. Simmonds's amendment to clause 5, 5078; on Mr. Simmonds's amendment to clause 14, 5081; on Mr. Simmonds's amendments to clause 15, 5082, 5083.

Social Welfare Bill—On amendment to second-reading motion, 3296; on Mr. Bornstein's amendment to sub-clause (2) of clause 14, 3300; on Mr. Bornstein's amendment to sub-clause (12) of clause 14, 3302; on Mr. Bornstein's amendment to clause 16, 3305; on Mr. Bornstein's amendment to clause 32, 3310; on Mr. Bornstein's amendment to clause 87, 3314; on clause 145, 3317.

Stamps Bill—On Mr. Clarey's amendment to clause 7, 1335.

State Development Bill—On second-reading motion, 3133; on Mr. Balfour's amendment to clause 7, 3140.


Strangers—Withdrawal of, 2714.
Divisions—continued.

Students of La Trobe University—On motion that an all-party Select Committee be appointed to investigate allegations involving members of Police Force and students of La Trobe University, 327.

Summary Offences (Trespassers) Bill—On motion that the Bill be considered an urgent Bill, 3582; on motion fixing time limits for debate, 3593; on second-reading motion, 3596; on clause 2, 3606; on clause 3, as amended, 3615.

Summary Offences (Trespass to Farms) Bill—On second-reading motion 959; on amendment to clause 2, 1055.

Teaching Service—On motion for proposed Select Committee, 3993.

Teaching Service (Tribunal) Bill—On second-reading motion, 2372. On Mr. Thompson’s amendment to clause 2, 2711.

Urban Renewal Bill (No. 2)—On Mr. Edmunds’s amendment to clause 3, 1841; on new clause A, 1855.

Votes on Account, 4687.

Westernport Development Bill—On third-reading motion, 1761.

Workers Compensation Bill—On second-reading motion, 3090; on clause 2, as amended, 3093; on clause 3, as amended, 3094; on clause 4, as amended, 3095.

Dixon, Mr. B. J.—continued.

Motor Car (Driving Offences) Bill, 4118, 5215.
Motor Car (Safety) Bill, 2802.
Motor Registration Branch—Driving tests in city and country, 5152.
Points of Order—Relevancy of remarks, 2684, 3980. Expression objected to, 4452, 4456.
Road Safety Committee—Reports presented: Compulsory breath analysis tests, 248; sixth progress report on alcohol and road accidents, 2483; seventh progress report on permits for learner drivers, 4747.

Road Traffic (Road Safety and Traffic Authority) Bill, 2607.
State Development Bill, 3132.
Supply, 259, 4450, 4455.

Teachers Tribunal—Withdrawal of secondary and technical teacher representatives, 1804. Developments, 2666. Teacher representatives, 4451.

Teaching Service (Tribunal) Bill, 2360, 2688.

Urban Renewal Bill (No. 2), 1492.

Vice—In St. Kilda, 5401.

Dog Bill—Received from Council and first reading, 2152; second reading, 2311, 3748; Committee and remaining stages, 3751.


Doube, Mr. V. J. (Albert Park).

Abortion Inquiry — Allegations against police, 133.

Aircraft—Third-party insurance for passengers, 531.

Albert Park Land Bill, 4543.


Book, Looking Ahead in Education, 3899.

Cigarettes—Health warning on packets, 3068, 3069, 3426, 3428. Association with lung cancer, 3428.

Civil Aviation (Carriers' Liability) Bill, 345, 346, 347.

Colleges of Advanced Education—Salaries, 2309.

Commonwealth Constitution — Proposed amendment, 1045.

Constitution Act Amendment (Responsible Ministers) Bill, The, 2486.

Criminal Appeals Bill, 1976, 2351.

Detergents—Use of enzymes, 5155.

Drugs—Use of L.S.D., 914, 1390.

Education—State submissions to Commonwealth, 4411.


Ehrenhaus Retail Bottled Liquor Licence Bill, 5071.


Executive Council—Members present at meeting on 24th March, 1971, 4524.

Forests (Bowater-Scott Agreement) Bill, 4770, 4774.

Doube, Mr. V. J.—continued.

Gas and Fuel Corporation—Collection of accounts, 403.

Government Departments and Instrumentalities—Effect of Government economies, 4662.

Governor, The — Queen's birthday levee, 5058.

Grievances, 5058.

Health, Department of—Control of school tuck shops, 2202. School dental clinics, 4053. Need to increase pre-school education facilities, 4625.

Hepatitis — Outbreak, 913, 1391, 1392, 1467.

Hospitals and Charities Commission—Alleged derogatory remarks about hospitals, 2785.

Housing—Experience of Silverton and General Transport Industries Limited, 1287.

Housing Commission—South Melbourne land: Sale, 1178; contribution of City of South Melbourne, 1471; investigation of condition of houses, 1472; development, 3528, 3529. Entry to private houses, 1560, 1564, 1687, 1691. Petition opposing South Melbourne slum reclamation scheme, 2202.

Immigration—Pressure on economy, 4663.

Insurance—Motor car insurance companies, 712.

Justices of the Peace—Minimum age, 4110.

Kindergartens—Land for extension of kindergarten at South Melbourne, 1387.

Legal Aid—For pensioners opposing construction of pipeline, 2056.

Libraries—Closure of State Library on Sundays, 4663.

Litter—From piers, jetties and boats: Penalties, 300.

Litter (Proceedings for Offences) Bill, 5001.

Medical Practitioners Bill, 2615, 2618, 2620, 2623.

Melbourne and Metropolitan Tramways Board—City fares, 1105, 1106. Students' concession fares, 4109, 4315.

Melbourne Underground Rail Loop Bill, 2102, 2104.

Members—Distribution of Ministers' second-reading speech notes, 270.
LEGISLATIVE ASSEMBLY.

Doube, Mr. V. J.—continued.


Moorabbin Airport—Runways, 112, 244, 1101. Zoning of adjacent land, 246, 491.

National Disaster Fund—Suggested establishment, 4862.

National Museum of Victoria—Closure on Saturdays and Sundays, 4663.

National Parks Bill, 3211.

Oil and Gas Resources—Pollution prevention, 3189.

Pesticides—Ban on DDT, 613.

Petition—Opposing South Melbourne slum reclamation scheme, 2202.

Points of Order—Relevancy of remarks, 342, 3607. Admissibility of questions without notice, 819. Expressions objected to, 2228, 4453, 4662. Amendments to clauses of Bill, 2375. Amendments to Teaching Service (Tribunal) Bill, 2683, 2684. Scope of debate: Estimates, 3428; on motion for appointment of Select Committee to inquire into Teaching Service, 3956; on Supply schedule, 4433.

Police Department—Allegations against members of force, 326. Police Life, 488.


Prisons Division—Pentridge Gaol: Improvements, 814; letters to prisoners, 815. Parole of woman prisoner, 1806.

Public Transport—Combined rail-tram tickets, 1013.

Registration of Births Deaths and Marriages (Amendment) Bill, 740.

River Entrance Docks Railway Construction Bill, 1316, 1319.

Doube, Mr. V. J.—continued.

South African Cricket Team—Official reception, 4745.

State Finance—Commonwealth-State financial relations, 4664.

State Insurance Offices—Scope of operations, 4663.

State Savings Bank—Scope of operations, 4663.

Statutes—Incorporation of Acts in consolidated volumes, 271.

Strangers—Readmission to gallery, 2719, 2721.

Summary Offences (Trespassers) Bill, 3603, 3612.

Supply, 269, 291, 4660, 4663.

Teacher Housing Bill, 2727, 2732, 2733, 3617, 3618.


Teaching Service—Proposed Select Committee, 3953, 3957, 3958. Judicial inquiry, 4409, 4627.

Teaching Service (Tribunal) Bill, 1109, 2227, 2228, 2235, 2236, 2374, 2379, 2711, 2713.

Universities—Enrolments, 4961.

Unmarried Mothers—Effect of Government assistance, 3736.

Urban Renewal Bill (No. 2), 1498, 1833, 1837.

Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4548, 4550.

Victoria Institute of Colleges (Amendment) Bill, 5008.

Victorian Pipelines Commission—Pipeline around Port Phillip Bay, 2052, 2055, 2056.


Vietnam Moratorium—Actions of marchers, 269.

---

Doyle, Mr. J. J. (Gisborne).

Citizen Military Forces—Enlistment of Government employees, 5059.

Civil Aviation (Carriers' Liability) Bill, 342, 343, 344, 346.
INDEX.

Doyle, Mr. J. J.—continued.

Commonwealth Constitution—Proposed convention, 1049, 4622.
Country Roads Board—Crossing on Geelong Road, 753.
Criminal Appeals Bill, 2353.
Education Department—Teachers college for western suburbs, 247. Keilor Primary School, 3951.
Environment Protection Act—Proclamation, 4624.
Fisheries and Wildlife Branch—Shooting of koalas at New Gisborne, 816.
Grievances, 5058.
Motor Car Act—Restoration of driving licences, 2624.
Motor Car (Safety) Bill, 2807.
Municipalities—Rebates on costs of street construction, 5402.
Police Department—Riddell police station, 614.
Racing (Amendment) Bill, 3222.
River Improvement (Amendment) Bill, 542.
Social Welfare Bill, 3271.
State Rivers and Water Supply Commission—Flooding of Werribee River, 401.
Summary Offences (Trespassers) Bill, 3567, 3586, 3603, 3605.
Summary Offences (Trespass to Farms) Bill, 955, 1056.
Tullamarine Freeway—Regulation of traffic, 491.
Universities—Establishment of fourth university, 2439.

Drugs. (See “Health, Department of—Drugs.”)

Dunstan, Mr. R. C. (Dromana).

Churchill Water and Sewerage Works Bill, 3832, 3843, 4128.
Country Roads Board—Hoarding on South Gippsland Highway, 1801.

Dunstan, Mr. R. C.—continued.

Dartmouth Dam—Inspection of site, 3828. Agreement on construction, 4106.
Floods—in East Gippsland, 5152.
Geelong Waterworks and Sewerage (Rates) Bill, 4866, 4868.
Geelong Waterworks and Sewerage Trust—Finances, 4154.
Gippsland Lakes—Pollution, 4572, 4744.
Groundwater Act—Granting of licences, 5320.
Heywood Sewerage Authority—Sewerage scheme, 4310.
Lake Eildon—House boats, 4405. Pollution, 4405.
Liquor Control (Amendment) Bill, 5068.
Local Government (Municipalities Assistance Fund) Bill, 4344.
Municipalities—Petition on rate concessions in Shire of Hastings, 1473. Melbourne City Square, 1921.
Petition—Rate concessions in Shire of Hastings, 1473.
Points of Order—Relevancy of remarks, 2378, 4334. Scope of debate on clause 2 of Bill, 4341.
Pollution—Of Lake Eildon, 4405. Of Gippsland Lakes, 4572, 4744.
Serviceton Sewerage Scheme—Finance, 4222.
Snowy Mountains Engineering Corporation (Victoria) Bill, 3953, 3993, 4135, 4136.
State Electricity Commission—Electricity supply to Rosebud park and recreation reserve, 1096. Opening of Hazelwood power station, 4667.
Supply, 4667.
Water (Amendment) Bill (No. 2), 4867, 4869, 4571.
East Melbourne Land Bill—Introduction and first reading, 1928; second reading, 1953; declared a private Bill, 2483; motion to treat as a public Bill agreed to, 2483; resumption of second-reading debate, 2483; Committee and remaining stages, 2484.

Edmunds, Mr. C. T. (Moonee Ponds).

Adoptions—Government assistance to private adoption agencies, 1008.
Alcoholic Drinks—Petition requesting restriction of sale to licensed premises, 4865.
Apprentices (Amendment) Bill, 1601, 1604.
Budget for Year 1970-71, 1155.
Building Industry—Registration and licensing of home builders, 3520.
Building Societies (Amendment) Bill, 4974.
Captain Cook Bicentenary—Comments of judges of literary awards, 1807, 1910.
Chocolates—Marketing of underweight products, 4225.
Co-operative Housing Societies (Amendment) Bill, 192, 340.
Counterfeit Notes—Apprehension of counterfeiters, 3068.
County Court (Jurisdiction) Bill, 4353.
Daylight Saving—Introduction in Victoria, 531.
Detergents—Use of enzymes, 4522.
Discharged Servicemen’s Preference (Amendment) Bill, 495.
Dog Bill, 3749.

Edmunds, Mr. C. T.—continued.

National Union of Australian University Students pamphlet on teacher training, 2667. Payment to teachers on national service, 2668. Ministerial visits to schools, 4564. Disciplinary action against teachers, 4565. Introduction of metric system, 4626.
Shortage of temporary teachers, 4743.
Electoral—Reform, 48. Disqualification of member of Legislative Council, 228.
Environment Protection Bill, 1829, 2954, 2981, 2984, 2985, 2988, 2990, 2998.
Essendon Airport—Flying procedures, 1101.
Firearms—Amnesty, 176. Use by private inquiry agents, 601.
Fisheries (Amendment) Bill, 5388.
Forests Commission—Tree-planting programme, 3734.
Gas and Fuel Corporation—Payment of accounts, 303.
Geelong Gas Company—Trading in shares, 4861.
Geriatrics—Waiting lists for admission to homes, 3418. Pensioner housing, 4563.
Government Departments and Instrumentalities—Employment of consulting engineers, 230.
Health, Department of—Commonwealth assistance for kindergartens and pre-school centres, 705.
Historic Relics Preservation Bill, 722.
Home Finance (Amendment) Bill, 337.
Hospitals—Establishment of private hospitals, 1156.
Edmunds, Mr. C. T.—continued.

Hotels—Ties to breweries, 4056.

Housing—Commonwealth funds for private housing, 2436. Commonwealth-State Housing Agreement, 2436, 4400, 4562.

Housing (Amendment) Bill, 2082, 3438.


Insecticides—Household pest strips, 2786.

Institute of Applied Science—Radio carbon data laboratory, 1157.


Law and Order—Incidence of crime, 1156.

Law Department—Moonee Ponds court house, 249, 2663. Prison sentence without hearing, 4311, 4408.

Libraries—Closure of lending section of State Library, 609, 1157.

Liquor Control (Amendment) Bill, 5063, 5070, 5399.

Literature—Captain Cook bicentenary literary awards, 1807, 1910.

Magistrates Courts—Shortage of magistrates, 1922.

Medical Practitioners—Payment of honorary doctors, 5042.


Melbourne Underground Rail Loop Bill, 2116, 2145.

Metric System—Introduction into schools, 4626.

Ministry—Allocation of local government portfolio, 4109.
Edmunds, Mr. C. T.—continued.


Education—continued.


Education Department—


Education Department—continued.


School Buildings and Grounds—Portable class-rooms and temporary accommodation: For technical schools, (qn.) 46; for primary and secondary schools, (qns.) 233, 481; in metropolitan area, 1194, (qn.) 2908; in Greensborough electorate, (qns.) 2432, 2908; construction and transportation costs, (qn.)
Education Department—continued.


Education Department—continued.

from western suburbs, 3933, 4551.


Ehrenhaus Retail Bottled Liquor Licence Bill — Introduction and first reading, 4866; second reading, 4965, 5071; Committee and remaining stages, 5071.

INDEX.

Elphinstone—Effect of by-pass road, 516.
Elwood Canal—Pollution, (qn.) 5319.
Emergency Services—Introduction at weekends, 4680, 4780.
Employers and Employés (Attachment of Wages) Bill—Introduction and first reading, 1567; second reading, 1576, 2320; Committee and remaining stages, 2323.
Environment Protection Bill—Appropriation resolution, 1760; introduction and first reading, 1760; second reading, 1816, 2954; Committee, 2980; third reading, 2998.
Essendon Airport—Flying procedures, (qn.) 1101.
Evans, Mr. A. T.—continued.

Local Government (Municipalities Assistance Fund) Bill, 4341, 4343.
Meat Industry—Price of mutton and lamb, 1806
Points of Order—Expression objected to, 2348. Relevancy of remarks, 3404.
Public Works Department—Tenders for work at Ballarat North Technical School, 5149, 5319, 5401.
Seeds Bill, 5352.
State Rivers and Water Supply Commission—Upper Tullaroop catchment area, 1100.
Statute Law Revision Committee—Reports presented: Evidence in committal proceedings and jurisdiction of Magistrates Courts, 3529; Disposal of Uncollected Goods Act, 4057; Imperial Acts Application (Repeals) Bill, 4226; Recovery of civil debts, venue, and enforcement of fines in Magistrates Courts, 4965.
Victorian Inland Meat Authority (Amendment) Bill, 1313.

Evans, Mr. B. J. (Gippsland East).
Aboriginal Affairs—Rating of Lake Tyers Aboriginal Station, 1472.
Aboriginal Lands Bill, 1767, 1774, 1776, 2330, 2333.
Agriculture, Department of—Veterinary diagnostic laboratory for Bairnsdale, 3417.
Apprenticeship (Amendment) Bill, 1605.
Chairman of Committees—Election of Sir Edgar Tanner, 258.
Commonwealth Constitution—Proposed amendment, 1027.
Country Roads (Amendment) Bill, 5379, 5383.
Daylight Saving—Introduction, 2574.
Education Department—Travelling allowance for pupils, 177. Closing of primary school at Lake Tyers, 1805. Primary school at Nowa Nowa, 1808. Bairnsdale High School, 2300, 3388. Bairnsdale West Primary School, 2577, 3388. Bairnsdale Primary School No. 754, 3388. Bairnsdale Technical School,
Evans, Mr. B. J.—continued.

3388. Primary school for Bairnsdale East, 3388. Warrnambool Technical College, 3389. Transport of children to special schools, 3400.
Estimates—For year 1970-71, 3388, 3400, 3417.
Fisheries (Amendment) Bill, 5391.
Fisheries and Wildlife Branch—Scallop fishing industry: Disturbance at Lakes Entrance, 1564.
Floods—East Gippsland: Damage, 3935, 4860, 4865, 5152; relief, 4529, 4622, 5055. Assistance to farmers, 3935. Grants to municipalities, 3935.
Forests Commission—Expenditure and employees in Eastern Division, 1913.
Gas and Fuel Corporation (Borrowing) Bill, 749.
Gas and Fuel Corporation ( Pipelines) Bill, 5169, 5172.
Gas Franchises Bill, 1488, 3233, 3238, 3251.
Gas, Natural—Supply to small towns, 916, 1691. Sale to New South Wales, 1689.
Groundwater (Amendment) Bill, 539.
Health, Department of—Processing of animals at knackeries, 259. Production and use of edible tallow, 2308, 2663.
Hospitals and Charities Commission—Gippsland Home and Hospital, 907. Knackeries—Processing of animals, 259.
Labour and Industry (Amendment) Bill, 1754.
Land Conservation Council—Appointment, 258
Latrobe Valley Outfall Sewer—Condition, 176.
Loan Application Bills—Presentation, 1102.
Local Government (Municipalities Assistance Fund) Bill, 4343.
Members—Attendance at deputations to Ministers, 3389.
Milk Board—Milk products, 906, 1005. Agents, 906.
Motor Car (Amendment) Bill, 427, 429, 430.
Motor Car (Driving Offences) Bill, 5203.
Motor Car (Fees) Bill, 2833.
Motor Car (Safety) Bill, 2796, 2814.
Motor Registration Branch—Revenue and disbursements, 292.
National Parks—Purchase of land for additions, 3062.
National Parks Bill, 3201.
Natural Disasters—Formula for assistance, 4515.
Nursing Profession—Report of inquiry, 530.
Pipe lines (Amendment) Bill, 5163.
Police Department—Allegations against members of force, 132.
Protection of Animals (Rodeos) Bill, 5385, 5387.
Public Works and Services Bill, 2927.
Public Works Department—Rubbish receptacles at picnic places, 911.
River Improvement (Amendment) Bill, 542.
Roads (Special Projects) Fund—Funds and works, 383.
Road Traffic (Road Safety and Traffic Authority) Bill, 2594, 2600, 2605.
Sky High Restaurant—Use of Government funds, 4743.
State Development Bill, 3130, 3135, 3138, 3141, 3142.
State Development, Department of—Declared decentralized industries, 3061.
State Electricity Commission—Power supplies: For Benambra, 1098; for Mallacoota, 1280.
State Forests Works and Services Bill, 1733.
State Rivers and Water Supply Commission—Lake Howitt project, 912. Erosion on Glenmaggie Creek, 3733.
INDEX.

Evans, Mr. B. J.—continued.

Summary Offences (Trespass to Farms) Bill, 1054.
Supply, 258.
Teacher Housing Bill, 2730, 2736.
Teaching Service (Tribunal) Bill, 2380.
Transport—Inquiry into transport, 710, 2199. Availability of submissions to inquiry, 2574, 3947.
Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4545, 4549, 4550.
Victorian Railways—Goods service on Gippsland line, 910. Claims for lost and damaged goods, 1282. Road travel by officers, 4316.
Water Supply Works and Services Bill, 2506.
Ways and Means—Committee of, 3440.
Westernport Development Bill, 1760.
Workers Compensation (Amendment) Act—Investigation by Judge Harris's committee, 3524.
Workers Compensation Bill, 3079.

Evidence (Registration of Commissioners) Bill—Introduction and first reading, 3832; second reading, 3928, 4129; Committee, 4131, 4890; remaining stages, 4892.

Evidence (Scientific Tests) Bill—Introduction and first reading, 144; second reading, 188, 441; Committee, 442, 727; remaining stages, 727.

Executive Council—Members present at meeting which approved teachers' disciplinary regulations, (qn.) 4524.

Extractive Industries—In Heatherton electorate, 4675.

F.

Fair Rents Board. (See "Metropolitan Fair Rents Board.")


Family Courts Bill—Introduction and first reading, 180.

Farrell Printing (Aust.) Pty. Ltd. — Publication of the Australian Credit Register, 5051.

Fell, Mr. R. W. (Greensborough).
Address-in-Reply, 219.
Budget for the Year 1970-71, 1209.
Cemeteries—Maintenance of Greensborough cemetery, 3440, 5052.
Community Welfare Foundation—Government assistance, 5041.
Consumer Goods—Packaged products, 1213.
Country Roads (Amendment) Bill, 5378, 5384.
Country Roads Board—Heidelberg-Kinglake road, 1212. Subsidies to municipalities, 4964.
Dog Bill, 3748.

Education—Adult education, 223.


Environment Protection Bill, 2977.

Estimates—For year 1970-71, 3375, 3377, 3381, 3340.

Flammable Clothing—Government investigation, 1213.

Forests Commission—Kulkyne State Forest, 914.

Geriatrics—Additional facilities, 224.

Grievances, 2564, 5051.

Health, Department of—Greensborough Senior Citizens Club, 3848.

Hospitals and Charities Commission—Works at Austin Hospital, 1926, 2905.

Housing—Cost of building blocks and houses, 1214.

Incinerators at Airports—Installation and operation, 1100.

Kangaroos—Slaughter for pet food, 711, 1289.

Kulkyne State Forest—Grazing, 914.

Libraries—Commonwealth financial assistance, 3378.

Litter (Proceedings for Offences) Bill, 5006.

Local Government (Further Amendment) Bill, 5363, 5371, 5373.

Local Government (Municipalities Assistance Fund) Bill, 4343.

Melbourne and Metropolitan Board of Works—Reimbursement for land acquired for Melbourne underground rail loop, 815.

Melbourne Stock Exchange—Minimum investment, 4517.

Melbourne Underground Rail Loop Bill, 2135, 2151.

Mental Health Authority—Long service leave entitlements of mental hospital employees, 1564.

Mentally Retarded Children—Use of St. Nicholas Hospital, Carlton, 1210.

Motor Vehicles—Third-party insurance, 1214. Petrol tax, 1214. Registration fees, 1214.

Municipal Association (Amendment) Bill, 3997.


Nursing Profession—Shortage of nurses, 1211.

Oil and Gas Resources—Leases, 1215.


Point of Order—Relevancy of remarks, 281.

Poker Machines—Manufacture for use in Victoria, 4529, 5146.


Pollution—Of Yarra River, 2664.

Public Service (Amendment) Bill, 1315, 1316.
Fell, Mr. R. W.—continued.


Public Works and Services Bill, 2914.

Railway Works and Services Bill, 2677.


Road Safety and Traffic Authority—Plenty Road and Settlement Road intersection, Bundoora, 4274.

Sharebrokers—Minimum investment, 4517.

State Electricity Commission—Sub-station at Macleod, 1509.


State Insurance Offices—Scope of operations, 1214, 1215.

State Savings Bank—Suggested hire-purchase subsidiary, 1215.

Strangers—Readmission to gallery, 2722.

Supply, 253.

Teachers Tribunal—Hearing of appeals, 1104.

Teaching Service—Proposed Select Committee, 3885. Judicial inquiry, 4744.

Teaching Service (Tribunal) Bill, 2240, 2242, 2690.

Town and Country Planning (Amendment) Bill, 5339.

Town Planning Appeals Tribunal—Members, 5315. Appeals against decisions, 5315.

Traffic Commission—School crossing, Main Street, Diamond Creek, 245, 246. Warning signals in Shire of Diamond Valley, 253. Subsidies to municipalities, 1212.

Transport Regulation Board—Taxi services in Greensborough electorate, 1778.

Universities—Teacher training at La Trobe University, 3367.

Vermin and Noxious Weeds Destruction Board—Use of poison 1080, 3901, 3902.

Victoria Institute of Colleges—Salaries of academic staff, 4520. Application of national wage increase to academic salaries, 5040.

Victorian Little Athletics Association—Assistance in Greensborough electorate, 1211.

Fell, Mr. R. W.—continued.


Victorian Universities and Schools Examinations Board—Matriculation examination, 1012.

Weights and Measures (Amendment) Bill, 3624.

Wombats—Possibility of extinction, 1174.

Fertilizers and Stock Foods (Labelling) Bill—Received from Council and first reading, 1051; second reading, 1297, 3745; remaining stages, 3745.


Firearms Bill—Introduction and first reading, 3832; second reading, 3846, 3997; appropriation resolution, 3998; Committee, 3999; third reading, 4000.

Fisheries (Amendment) Bill—Received from Council and first reading, 4909; second reading, 4969, 5388; remaining stages, 5396.


Flammable Clothing—Government investigation, 1213.

Flammable Liquids—Inspection of vehicles, (qn.) 1915.


Floyd, Mr. W. L. — continued.

Floyd, Mr. W. L.—continued.

Petitions—Teachers' college for western suburbs, 535. Requesting restriction of sale of alcoholic drinks to licensed premises, 5325.

Phillip Island Conservation Bill, 1311.

Points of Order—Scope of debate on motion for adjournment of sitting, 3635. Statement in debate, 4266. Reflection on Chair, 4676.


Pollution—Prosecution of shipping companies, 172. Effect on fish, 4408.

Prisons Division—Administration of Pentridge Gaol, 913.

Public Authorities—Liability for flood damage, 3314.


Public Works and Services Bill, 2936.

Railway Works and Services Bill, 2679.

River Entrance Docks Railway Construction Bill, 1319.

River Improvement (Amendment) Bill, 542.

Road Traffic (Amendment) Bill, 434.

Search and Rescue Operations—Provision of funds, 3897.

Social Welfare Department—Delay in payment of social service benefits, 4625, 4680.

State Development—Suggested department, 159.

State Development Bill, 3126.

State Electricity Commission—Operation of electric trains during industrial disputes, 238.

State Finance—Revenue and loan works, 1216.

State Insurance Offices—Scope of operations, 1217.

State Savings Bank—Collection of gas and electricity accounts, 391.

Supply, 287, 4679.

Tramway Museum Society—Preservation of trams, 3437.

Urban Renewal Bill (No. 2), 1838.


Victorian Pipelines Commission—Pipeline around Port Phillip Bay, 4960.

Floyd, Mr. W. L.—continued.

Victorian Railways—Metropolitan transportation plan: Amendments re Geelong and Altona rail services, 300. Leasing of air space over stations, 1282. Workshops: Staffing at Newport, 2305, 3184; staffing at Bendigo, 2305; construction projects, 3184. Anzac Day services, 4219. Rail loop from North Melbourne, 4682.

Water (Amendment) Bill, 4571.

Water Conservation—Need for storages, 3435.

Water (Further Amendment) Bill, 2717, 2789.

West Gate Bridge Royal Commission—Recess, 3187.

Williamstown Rifle Range—Closure, 5042.

Workers Compensation Board—Hearing of cases, 230, 289, 1218, 4680.

X-ray Service—Pestering of public attending, 4859.

Footwear Regulation Bill—Introduction and first reading, 144; second reading, 197, 498; Committee, 501; remaining stages, 507. Council amendment dealt with, 3621.

Fordham, Mr. R. C. (Footscray).

Address-in-Reply, 213.

Alcoa of Australia (W.A.) N. L. Bill, 5006.

Alcoholic Drinks—Petition requesting restriction of sale to licensed premises, 5326.

Architects (Amendment) Bill, 3745, 3747.

Audit (Recovery of Overpayments) Bill, 5174, 5178, 5400.

Budget for year 1970–71, 1151.

Censorship—Meeting of State and Commonwealth Ministers, 242

Commission of Public Health—Annual reports, 2784.

Commonwealth Constitution—Proposed amendment, 1024.

Commonwealth—State Relations—Restoration of State powers, 216. Establishment of all-party committee, 3186.

Constitution Act Amendment (Responsible Ministers) Bill, The, 2488.

Consumer Protection Bureau—Activities, 4435.
Fordham, Mr. R. C.—continued.

County Court (Jurisdiction) Bill, 4355.
Criminal Appeals Bill, 2355.

Electoral—Reduction of voting age, 3069, 3896.
Environment Protection Bill, 2972.
Footwear Regulation Bill, 502.
Gas Franchises Bill, 3250.
Gas, Natural—Sale to New South Wales, 4436.
Government Departments and Instrumentalities—Industrial relations, 1154.
Health, Department of—Pre-school education: Maintenance of centres, 215; supervisory staff, 215; inadequacy, 1153; inquiry, 4964, 5321.
Hospitals and Charities Commission—Annual reports, 2784.
Housing—Subdivision of land for low-income earners, 215.
Housing Commission—Applications to purchase, 214. Applications for rental accommodation, 214.
Institute of Applied Science—Annual reports, 611.
Land (Amendment) Bill, 3617.
Land Conservation Bill, 642.
Land Tax Bill, 2950.
Library Council of Victoria—Annual report, 609.
Melbourne and Metropolitan Tramways Board—Modernization of trams, 819.
Melbourne Underground Rail Loop Bill, 2129.
Methodist Church (Victoria) Property Trust Bill, 1336.
Moral Standards—Imposition on community, 529.

Fordham, Mr. R. C.—continued.

Petition—Requesting restriction of sale of alcoholic drinks to licensed premises, 5326.
Points of Order—Scope of debate on motion for adjournment of sitting, 3635. Expression objected to, 4453.
Police Department—Allegations against members of force, 325. Police Life, 486. Damages awarded against policemen, 4909.
Political Parties—Philosophies, 1152.
Price Control—Introduction, 4436.
Road Safety Committee—Implementation of recommendations, 215.
Securities Industry (Amendment) Bill, 2944, 2946, 3616.
Science Museum of Victoria—Closure on Sundays, 3848.
Science Museum of Victoria Bill, 3626.
Social Welfare Bill, 3279, 3300.
Social Welfare Department—Social workers: Recruitment, 1103, 1173; for Footscray office, 1176.
Student Demonstrations—Allegations against members of Victoria Police Force, 325.
Summary Offences (Trespassers) Bill, 3591.
Supply, 4432, 4434.
Teachers Tribunal—Annual reports, 1804, 4105. Withdrawal of secondary teachers' representatives, 1806.
Teaching Service—Proposed Select Committee, 3974.
Teaching Service (Tribunal) Bill, 2248, 2693, 2695.
INDEX.

Fordham, Mr. R. C.—continued.

Universities—Quota system, 214, 1154.
Urban Renewal Bill (No. 2), 1835.
Victoria Institute of Colleges—Application of national wage increase to staff, 4622.
Victorian Railways—Accounting procedures, 1690.

Forests (Amendment) Bill—Introduction and first reading, 1695; second reading, 1934, 2490; Committee and remaining stages, 2491.

Forests (Bower-Scott Agreement) Bill—Introduction and first reading, 4317; second reading, 4325, 4765; Committee and remaining stages, 4772.


Gas and Fuel Corporation—continued.


Gas and Fuel Corporation (Borrowing) Bill—Introduction and first reading, 179; second reading, 333, 747; Committee, 750; remaining stages, 751.

Gas and Fuel Corporation (Geelong Gas) Bill—Introduction and first reading, 4627; second reading, 4646, 4758; Committee and remaining stages, 4763.

Gas and Fuel Corporation (Pipelines) Bill—Introduction and first reading, 4866; second reading, 4886, 5166; appropriation resolution, 5170; Committee, 5170; remaining stages, 5174.


Gas Franchises Bill—Introduction and first reading, 1292; second reading, 1486, 3224; Committee, 3236; remaining stages, 3253.


Geelong Art Gallery—Capital grant, (qn.) 4035.

Geelong Gas Company—Sale of shares, 4778, 4780, (qn.) 4861.

Geelong Harbor Trust—Disposal of polluted grain, (qn.) 2782.

Geelong Land (Special Grant) Bill—Appropriation resolution, 3846; introduction and first reading, 3846; second reading, 3931, 4128; remaining stages, 4129.
Geelong Waterworks and Sewerage (Rates) Bill—Introduction and first reading, 4866; second reading, 4868, 5158; remaining stages, 5162.

Geelong Waterworks and Sewerage Trust—Interest payments, (qns.) 401, 3368.

Geriatric Services. (See "Hospitals and Charities Commission—Geriatric Services").

Ginifer, Mr. J. J. (Deer Park).

Agricultural Education—Cadetships and scholarships, 3415.

Agriculture, Department of—Bee industry inspectors, 4043, 4153, 4523, 4683.

Budget for Year 1970-71, 1235.

Chiropractors—Overseas qualifications, 4737. Training in Victoria, 4737.

Citizens Advisory Centres—At Keilor, 3398.

Constitution Act Amendment (Responsible Ministers) Bill, The, 2488.

Cordite Avenue Bridge, Avondale Heights—Construction, 297. Cost, 5314.

Crown Land—Reservation in western suburbs, 1683.

Dairying Industry—Reconstruction, 533.


Environment Protection Bill, 2978, 2982, 2988, 2989, 2992, 2994.

Estimates—For year 1970-71, 3398, 3415.

Gas Franchises Bill, 3251.

Grassmere Land Bill, 5158.

Grievances, 2566, 5059.

Health, Department of—School medical services, 1237, 1916, 2438, 4553. Subsidy for Albion kindergarten, 3633.


Housing Commission—Glen Gala estate, Sunshine, 703, 1237. Allocation of homes to servicemen in Sunshine West estate, 917.
Ginifer, Mr. J. J.—continued.

Industry—Age limit for employment vacancies, 2568.

Justices of the Peace—Ineligibility of teachers for appointment, 285.

Labour and Industry, Department of—Industrial accidents, 608.

Land (Amendment) Bill, 1450.

Land Conservation Bill, 157, 624.

Lands Department—Effect of Government economies, 3889, 4042.

Land (Surrender to the Crown) Bill, 5157.

Law Department—Death of Mrs. Maureen Taylor, 4850.

Marketing of Primary Products (Amendment) Bill, 4904.


Melbourne and Metropolitan Board of Works—Revenue and expenditure in Sunshine, 483, 527. Pedestrian overpass at Niddrie, 3364.

Melbourne and Metropolitan Board of Works Bill, 3620.

Members—Appointment as commissioners for taking affidavits, 49.

Motor Car (Safety) Bill, 2802.

Municipalities—Local Government inspectors of accounts, 2566. Land usage in City of Keilor, 3884. Residential use rate for industrial areas, 4213.

Nursing Profession—Suggested college training, 2906.

Points of Order—Scope of Debate: On Public Works and Services Bill, 2911; on motion for adjournment of sitting, 3635; on motion to appoint Select Committee to inquire into Teaching Service, 3957.

Police Department—Number of assaults, 286. Recruitment, 286.

Pollution—Emission of fumes at Deer Park, 1619.

Primary Industry—Reconstruction, 3528.

Prisons Division—Library at Beechworth Training Prison, 5059. Correspondence courses for prisoners, 5059.

Public Works and Services Bill, 2910, 2911, 2912.

Racing (Amendment) Bill, 3222.

Railway Works and Services Bill, 2674.

Revocation and Excision of Crown Reservations Bill, 1589.

Road Traffic—Congestion at St. Albans railway station, 2567.

Royal Melbourne Institute of Technology—Salaries, 3143.

Rural Reconstruction Scheme—Acceptance of Commonwealth proposals, 5153.

Soil Conservation and Land Utilization (Amendment) Bill, 4901.

Strangers—Readmission to gallery, 2722.

Supply, 284, 285, 4551, 4682.

Survey Co-ordination (Place Names) Bill, 4904.

Teacher Housing Bill, 2729.


Teaching Service—Proposed Select Committee, 3990. Suggested judicial inquiry, 4410.

Thalidomide—Compensation for affected children, 107.

Town and Country Planning (Amendment) Bill, 5336, 5342.

Tullamarine Freeway—Access from Calder Highway, 1464.

Universities—Terms of reference of committee of inquiry into fourth university, 1680.

Vermin and Noxious Weeds (Amendment) Bill, 1738.

Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4544, 4549.

Victorian Little Athletics Association—Distress of children competing in sports, 4409.

Victorian Railways—Land at St. Albans, 241, 2568. Station between Sunshine and Ardeer, 708. New station at Sunshine North, 1008. Pedestrian crossing at St. Albans, 2567. McIntyre Road Bridge, Sunshine North, 5238.

West Melbourne Market Land (Amendment) Bill, 544.

Wheat Industry—Over-quota wheat, 752, 753.

Wheat Marketing (Amendment) Bill, 3529, 3537.

Wodonga Lands Exchange Bill, 2485.

Workers Compensation Bill, 3085.
LEGISLATIVE ASSEMBLY.

Gippsland—Development, 51. (See also "Flood Relief.")

Goble, Mrs. D. A. (Mitcham).
Criminal Appeals Bill, 1979
Dog Bill, 3749.
Evidence (Registration of Commissioners) Bill, 4131.
Motor Car (Driving Offences) Bill, 5223.
Pyramid Selling—Complaints, 4860.
Registration of Births, Deaths and Marriages (Amendment) Bill, 743.
Social Welfare Bill, 3291.
Speaker, The—Election of the Hon. Vernon Christie, 43.
Teaching Service (Tribunal) Bill, 2239.
Universities—Teacher training at universities, 110.

Golden Products (Aust.) Pty. Ltd.—Pyramid selling activities, 4778, (qn.) 4860.

Gordon House—Alternative accommodation, (qn.) 4034.


Grain Elevators Board—Acceptance of quota, non-quota and special quota wheat, (qns.) 528, 2050.

Grassmere Land Bill—Introduction and first reading, 4866; second reading, 4872, 5158; remaining stages, 5158.

Greyhound Racing. (See "Dog Bill" and "Dog-racing.")


Groundwater (Amendment) Bill—Introduction and first reading, 144; second reading, 203, 539; Committee, 540; remaining stages, 542. Council amendment dealt with, 3619.

H.

Hairdressers Registration (Amendment) Bill—Introduction and first reading, 825; second reading, 926, 1588; remaining stages, 1589.

Hamilton Arts Council—Government grant for eisteddfod committee, (qn.) 1800.

Hamilton Public Cemetery Trust—Grants, (qn.) 2047.

Hamilton Waterworks Trust—Population and area served, (qn.) 2665.

"Hansard"—Salary of female reporter, (qn.) 1923, 3371.

Hamer, Mr. R. J. (Kew).
Business of the House—Day and hour of meeting, 5400.
Cordite Avenue Bridge, Avondale Heights. Cost, 5314.
Hamer, Mr. R. J.—continued.

Country Roads (Amendment) Bill, 5382, 5383, 5384.
Country Roads Board—Flood damage in Gippsland, 4865. Subsidies to municipalities, 4964.
Demonstrations—Photographing of demonstrators, 5322.
Floods—Damage in Gippsland, 4865.
Grievances, 5043.
Local Authorities Superannuation (Disability Benefits) (Commencement) Bill, 4890, 4968.
Local Government (Further Amendment) Bill, 4876, 5364, 5365, 5368, 5369, 5370, 5372, 5373, 5376, 5377.
Litter (Proceedings for Offences) Bill, 5005.
Melbourne and Metropolitan Board of Works—Rating of rural land at Werribee, 4865. Elwood Canal, 5318. Use of creeks as main drains, 5324.
Motor Car (Driving Offences) Bill, 5225, 5228, 5229, 5230, 5400.
Motor Registration Branch—Driving licence tests in city and country, 5152.
Motor Vehicles—Unsafe loading, 5312.
Noise—Complaints, 5319.
Parliament—Prorogation and remaining business, 5401.
Point of Order—Expression objected to, 5206.
Poker Machines—Manufacture for use in Victoria, 5147.
Police Department—New Thomastown police station, 5153. Allegations against police, 5321.
Public Authorities—Liability for flood damage, 5314.
Queen Victoria Market—Redevelopment of site, 5315.
Roads—Balmoral railway bridge, 4954. Scaffolding Bill, 4990.
Scaffolding Regulations—Supervision, 5313.

Hayes, Mr. G. P. (Scoresby).

Apprenticeship (Amendment) Bill, 1607. Cigarettes—Health warning on packets, 3425.
Criminal Appeals Bill, 2351.
Daylight Saving—Introduction in Victoria, 2573.
Dog Bill, 3751, 3753.
Education Department—Grants to schools, 228.
Estimates—For year 1970-71, 3425.
Grievances, 2573.
Hire Purchase (Insurance) Bill, 2326, 2327.
Insurance—Motor car insurance companies, 1561.
Labour and Industry (Shop Closing) Bill, 938, 939.
Land Tax Bill, 2951.
Public Works and Services Bill, 2923.
Questions on Notice—Compilation of answers, 1009.
Road Traffic (Road Safety and Traffic Authority) Bill, 2606.
State Development Bill, 3136.
State Electricity Commission—Industrial dispute at Morwell, 4358.
Teaching Service—Proposed Select Committee, 3992.
Urban Renewal Bill (No. 2), 1844.
Victorian Railways—Condition of trains, 2574.
Health Act—Storage of fruit and vegetables, (qn.) 240. Inclusion of phenoxy acetic acid in Third Schedule, 3420, 3421, 4359, 4361.

Health, Department of—


Health (Tuberculosis Arrangement) Bill—Introduction and first reading, 4226; second reading, 4317, 4550; Committee and remaining stages, 4551.


Hire Purchase (Insurance) Bill—Introduction and first reading, 1567; second reading, 1612, 2324; Committee and remaining stages, 2327.

Historical Societies—Grants, (qn.) 993.
INDEX.


Holding, Mr. A. C. (Richmond).
Abortion Inquiry—Prosecution of alleged offenders, 1173.
Australian Education Council—Submissions of Education Department, 307.
Budget for Year 1970–71, 1110.
Budget Papers—Form of presentation, 1110.
Budget Speech—Procedure for debate, 1110.
Censorship—Portnoy’s Complaint, 112.
Chairman of Committees—Election of Sir Edgar Tanner, 60.
Chowilla Dam—Construction, 1467, 1469.
Collingburn, Mr. N. S., Death of—Inquiry, 4407, 4408, 4525. Pamphlet making allegations against police, 4746.
Commonwealth Constitution—Proposed amendment, 721, 832.
Country Roads Board—Retrenchment of employees, 4426.
Crèches—Closure in inner Melbourne area, 1563.
Dartmouth Dam—Construction, 1467, 1469.
Education—Commonwealth financial assistance, 3897, 3898. Survey of needs, 3898, 3899.
Education Department—Education of migrant children, 174, 1563, 3063, 4962. Grants to State schools, 244. Richmond Girls High School, 651. Richmond Primary School, 1280, 1384. Conditions at inner-suburban schools, 1280.
Electoral—Party representation, 60.

Holding, Mr. A. C.—continued.

Forests Commission Gemmill’s Swamp ibis rookery, 3188.
Gas and Fuel Corporation—Marketing of liquefied petroleum gas, 1115, 1288.
Gas Franchises Bill, 3230, 3243, 3246.
Gas, Natural—Sale to New South Wales, 110, 111, 2308, 4056, 4427. Cost to Gas and Fuel Corporation, 2309. Supply to State Electricity Commission, 2665, 2666.
Geriatrics—Hospital care of aged and infirm, 1175.
Government Departments and Instrumentalities—Effect of Government economies, 4418, 4420, 4421.
Grievance Day—Suspension of Standing Order, 2440.
Health, Department of—Commonwealth assistance for day nurseries and crèches, 2435. Richmond day nursery, 3144. Financing of day nurseries, 3144, 3186, 4051.
Hepatitis—Administrative responsibility, 1392.
Industrial Disputes—Unrest in community, 280.
Joint Sittings of Parliament—Council vacancies: Victoria Institute of Colleges and Monash University, 652, 653, 654; La Trobe University, 2524, 2525.
Labour and Industry (Shop Closing) Bill, 1416.
Land Conservation Bill, 645.
Law and Order—Effects of Government administration, 275.
Law Department—Accommodation, 3524.
Holding, Mr. A. C.—continued.


Marketable Securities (Amendment) Bill, 2339.

Meat Industry—Levy on meat exported to United Kingdom, 1470.

Melbourne and Metropolitan Tramways Board—Annual reports, 1687, 1688. Fares, 1692.

Members—Resignation of Sir Arthur Rylah, 3894.

Mental Health Authority—Administration, 3917, 3920. Effect of Government economies, 4221.

Moratorium on War in Vietnam—Charges against social workers taking part, 488.

Municipalities—Melbourne City Council elections, 1176. Allegations against councillors, 3402, 3404. Allegations against member of Melbourne City Council, 5155, 5321.

Oil and Gas Resources—Development, 1117. Royalties, 4202, 4427.

Pakistan—Flood disaster assistance, 2200.

Pay-roll Tax—Set-off against railway losses, 486. Savings effected by non-payment, 4621.


Pollution—Oil slick off Gippsland coast, 3066.

Premiers Conference—Ministerial statement, 824.

Premier’s Department—Effect of Government economies, 3869.

Prisons Division—Separate cell confinement, 5151; disturbance, 5151.


Questions without Notice—Requests by Ministers that questions be placed on Notice Paper, 1010.


Scaffolding Bill, 4982.

Sheriff’s Office—Shortage in funds, 4859, 5154, 5155.

Social Welfare Bill, 3299, 3303, 3309, 3317, 3318.

Social Welfare Department—Allambie Reception Centre, 46, 4312. Winlaton Youth Training Centre, 4312.

Speaker, The—Election of the Hon. Vernon Christie, 43.


State Insurance Offices—Scope of operations, 1113, 1117, 4426.

State Rivers and Water Supply Commission—Retrenchments, 489.

State Savings Bank—Scope of operations, 1114, 1117, 4425, 4426.

Strangers—Readmission to gallery, 2718, 2726.
INDEX.

Holding, Mr. A. C.—continued.

Student Demonstrations — Allegations against members of Police Force, 307, 308, 309, 310, 311, 314, 317.

Summary Offences Act—Trespass charges and convictions, 2194.

Summary Offences (Trespassers) Bill, 3542, 3583, 3599, 3604, 3606, 3609.

Superannuation (Transitional Provisions) Bill, 4977.

Supply, 60, 249, 278, 279, 4417.

Teachers Tribunal — Composition, 708.

Teaching Service — Proposed Select Committee, 3966, 3970. Judicial inquiry, 4406.

Teaching Service (Tribunal) Bill, 2365, 2378, 2379, 2380, 2686.

Treasury — Effect of Government economies, 3870, 4034.

Universities — Salaries, 4223. Commonwealth grants, 4233.

Urban Renewal Act — Richmond City Council: Application to become renewal authority, 4859. Proclamation, 4859.

Victoria Institute of Colleges — Reduction in budget estimate, 2054, 2055.

Victorian Railways—Suggested takeover by Commonwealth, 485. Set-off of losses against pay-roll tax, 486.


West Gate Bridge Disaster—Condolences, 1015.

West Gate Bridge Royal Commission Bill, 1016.

Workers Compensation Bill, 3070, 3093, 3094.

Workers Compensation (Common Law Claims) Bill, 1107.

Horse-racing—continued.

Union, (qn.) 1472. Mid-week racing at Sandown, (qn.) 3937. Report of Victoria Racing Club, (qn.) 3937. (See also "Racing (Amendment) Bill").

Hospital Benefit Associations—Profits, 516.

Hospital Benefits Association of Victoria: Election of contributor representatives, (qn.) 612. Articles of association, 801.

Hospitals and Charities Commission—


Holiday Magic Pty. Ltd.—Pyramid selling activities, 4860.

Home Finance (Amendment) Bill—Introduction and first reading, 144; second reading, 186, 337; remaining stages, 339.

Hospitals and Charities Commission—continued.


4102. Staff wages in private hospitals, (qns.) 4222, 5322. Mooroopna Base Hospital, 4431. Portland and District Hospital, 4559.

Medical Practitioners—Shortage in country towns, (qn.) 170, (qn.) 1558, (qn.) 2056, (qn.) 2587, 2667. Exemption from section 65 of Crimes Act, 1106. Recruitment from overseas, (qn.) 1385. For country hospitals, 3633, (qns.) 3733, 3734, 3735. Salaries of honorary doctors, (qn.) 5042. (See also "Medical Practitioners Bill.")


Hospitals Superannuation (Amendment) Bill—Introduction and first reading, 144; second reading, 192, 550; Committee, 551; remaining stages, 552.

Hotels—Tied hotels, (qn.) 4056.

Hours of Work—Suggested staggering, (qn.) 5156.

House Committee—Assembly members appointed, 55.

Housing (Amendment) Bill—Introduction and first reading, 1393; second reading, 1481, 2082; Committee and remaining stages, 2083. Council amendment dealt with, 3438.

Housing Commission—


Howard Florey Institute of Experimental Physiology and Medicine Bill—Introduction and first reading, 4530; declared a private Bill, 4531; motion to treat as public Bill agreed to, 4531; second reading, 4531, 4899; Committee and remaining stages, 4900.

Hypnotism—Activities of Revivalist sect, 1981.

Ice-cream—Ingredients, (qn.) 5324.


Imperial Acts Application (Repeals) Bill—Introduction and first reading, 180; second reading, 328, 5233; Committee and remaining stages, 5235. Council amendments dealt with, 5397.

Improvement Purchase Leases—Interest rates, 1208.

Incinerators at Seaports—Installation and operation, (qns.) 1100, 5317.


Infant Welfare Centres. (See “Health. Department of—Child Care Centres.”)


Inquiry Agents. (See “Private Inquiry Agents.”)

Institute of Applied Science—Closure of radio carbon dating laboratory, 1157.


Interest Rates—High level, 5057.

Internal Security Company—Activities of, (qn.) 4850, (qn.) 5146, 5237, 5240.

Joint Select Committee (Meat Industry) Bill—Appropriation resolution, 56; introduction and first reading, 56; second reading, 56; Committee and remaining stages, 56.

Joint Select Committee (Road Safety) Bill—Appropriation resolution, 56; introduction and first reading, 56; second reading and remaining stages, 56.


Jona, Mr. Walter (Hawthorn).

Business and Trade Directories—Business methods, 2586, 5050.

Consumer Protection Council—Activities of trade directories and journals, 2586.

Education Department—Sick bays and rest rooms at primary schools, 112. Distribution of literature at schools, 268. Restricted teaching periods, 5153.

Grievances, 2585, 5050.

Hospitals and Charities Commission—Air ambulance contract, 4311.

Industry—Disputes, 266.

Liquefied Petroleum Gas—Use in motor vehicles, 5148.

Medical Practitioners Bill, 2617, 2620, 2621, 2623.

Melbourne Underground Rail Loop Bill, 2095.
INDEX.

Jona, Mr. Walter—continued.

Motor Car (Amendment) Bill, 428, 431.
Motor Car (Driving Offences) Bill, 5204, 5207, 5210.
Motor Car (Safety) Bill, 2799, 2812.
Points of Order—Statements in debate, 1479, 2104, 2428. Strangers, 2706. Scope of debate on motion to appoint Select Committee to inquire into Teaching Service, 3957. Expression objected to, 5205, 5207.
Police Department—Vietnam moratorium march, 268.
Railway Works and Services Bill, 2678.
Reptiles—Control of sales, 4614.
Road Traffic (Road Safety and Traffic Authority) Bill, 2596.
Summary Offences (Trespassers) Bill, 3615.
Supply, 266, 267, 268.
Trade and Business Directories—Business methods, 2586, 5050.
Urban Renewal Bill (No. 2), 1409, 1411.
Victorian Railways—Hawthorn, Glenferrie and Auburn stations, 809.
Vietnam War—Moratorium march, 268.
X-ray Services—Detection of lung cancer, 3826.
Yugoslav Consulate—Bombing, 1172.
Location in residential area, 2998.
Rulings and Statements as Acting Chairman of Committees—

Justices of the Peace. (See "Law Department.")

Justices (Service of Summons) Bill—Received from Council and first reading, 4351; second reading, 4417, 5009; Committee and remaining stages, 5009.

K.


Kellar Citizens Advisory Centre—Government assistance, 3398.

Kindergartens. (See "Health, Department of—Child Care Centres.")

Kirkwood, Mr. C. W. D. (Preston).
Address-in-Reply, 216.
Albert Park Committee of Management—Financial assistance, 2045.
Apprenticeship (Amendment) Bill, 1603, 1608.
Budget for Year 1970-71, 1198.
Business of the House—Days and hours of meeting, 529.
Consumer Protection—Retail trade practices, 2437.
Country Roads (Amendment) Bill, 5383.
Demonstrations—Photographing of demonstrators, 4570, 5322.
Education—Financial allocation to registered schools, 1200.
Kirkwood, Mr. C. W. D.—continued.

Environment Protection Bill, 2960, 2962, 2987, 2988, 2989, 2991, 2996.
Estimates—3378, 3386.
Fertilizers and Stock Foods (Labelling) Bill, 3745.
Foodstuffs—Pesticide residue, 2781, 3184.
Footwear Regulation Bill, 3622.
Gas and Fuel Corporation—Natural gas installation at Strathmore private hospital, 1915.
Gas, Natural—Conversion of appliances, 2056. Installation at private hospital at Strathmore, 4465.
Geriatrics—Provision of geriatric services, 1201. Hospitals and homes for the aged, 1201.
Health Act—Storage of fruit and vegetables, 240.
Health, Department of—School dental services, 1200.
Hospitals and Charities Commission—Preston and Northcote Community Hospital, 3421. Nursing training 4638.
Labour and Industry, Department of—Butcher shop trading hours, 813.
Labour and Industry (Shop Closing) Bill, 934, 939.
Land Tax—Incidence on home owners, 252, 1200.
Land Tax Bill, 2844.
Law Department—Preston court house, 1389, 1465. Court fees, 1910.
Liquor Control Act—Charges and convictions, 1910.
Litter (Proceedings for Offences) Bill, 5000.
Local Government (Further Amendment) Bill, 5358, 5368, 5370, 5371, 5375, 5376, 5377.
Local Government (Municipalities Assistance Fund) Bill, 4329, 4339.
Local Government Superannuation (Disability Benefits) Bill, 3541.
Melbourne and Metropolitan Board of Works—Unsewered industrial areas in Preston, 808. Use of public land for freeways, 2664. Sanitary clearance charges, 3409.

Kirkwood, Mr. C. W. D.—continued.

Melbourne and Metropolitan Board of Works Bill, 3620.
Melbourne and Metropolitan Tramways Board—Staff shortage, 1199. Advertising revenue, 2563. Increases in fares, 4642.
Melbourne Underground Rail Loop Bill, 2137.
Metropolitan Fire Brigades Board—Municipal contributions, 606, 3408.
Migrant Hostels—Power of Housing Commission to issue demolition orders, 1692.
Motor Car (Driving Offences) Bill, 5225.
Motor Car (Safety) Bill, 2813.
Municipalities—Subsidies: For elderly citizens' clubs, 217, 3409; for libraries, 217; for day nurseries, 217, 218; for traffic lights, 217; for street lighting, 218; contributions to Metropolitan Fire Brigades Board, 218, 232, 3409. Suggested assistance to meet pay-roll tax, 1092. Grants for municipal services, 1199. Government responsibilities, 4641.
Nursing Profession—Nursing training, 4638.
Parliament House—Accommodation for members, 217.
Pesticides—Residue in foodstuffs, 2781, 3184.
Point of Order—Scope of debate on Public Works and Services Bill, 2911.
Pollution—Proposed environment control authority, 397. Prosecutions, 1388.
Preston Institute of Technology—Construction and cost, 4399, 4639.
Price Control—Actions of manufacturers, 1201.
Public Works and Services Bill, 2911, 2931.
INDEX.

Kirkwood, Mr. C. W. D.—continued.

Road Traffic (Road Safety and Traffic Authority) Bill, 2607.
Scaffolding Bill, 4985.
Second-hand Dealers (Charity Collectors) Bill, 2496.
Social Welfare Bill, 3285.
Social Welfare Department—Evictions from Housing Commission homes, 490.
State Development Bill, 3124.
State Finance—Loan redemption, 4640.
Strangers—Readmission to gallery, 2723.
Summary Offences (Trespassers) Bill, 3578.
Supply, 252, 4638.
Teaching Service (Tribunal) Bill, 2703, 2704.

Town and Country Planning (Amendment) Bill, 5338, 5342.
Trade Practices—Retail minimum prices, 2437.
Urban Renewal Bill (No. 2), 1489, 1491, 1835, 1843, 1848, 1854.
Valuer-General—Staff, 252.
Venereal Disease—Control, 1290.
Victoria Institute of Colleges—Preston Institute of Technology, 4399, 4639.
Victorian Railways—Lalor—Epping service, 753.
Workers Compensation Bill, 3086.
Work Force—Study of redundancy, 300.
Yarra Bend National Park Trust—Financial assistance, 2045.

Knackeries—Processing of animals, 259.
Koalas—Shooting at New Gisborne, (qn.) 816.

Labour and Industry, Department of—continued.


Labour and Industry (Factories) Regulations 1969—Inspections and deficiencies, (qn.) 3946.

Labour and Industry (Shop Closing) Bill—Introduction and first reading, 722; second reading, 744, 932; Committee, 933; remaining stages, 943. Council amendments dealt with, 1414.

Lake Lonsdale—Drainage, (qn.) 919.


Land (Amendment) Bill—Introduction and first reading, 825; second reading, 929, 1450; Committee, 1451; third reading, 1452. Council amendment dealt with, 3616.

Land Conservation Bill—Introduction and first reading, 145; second reading, 147, 617; appropriation resolution, 629; Committee, 629, 635; remaining stages, 650.

Landlord and Tenant Act—Suggested amendment, 3396.


Land (Surrender to the Crown) Bill—Introduction and first reading, 4866; second reading, 4967, 5157; remaining stages, 5158.

Land Tax—Incidence, 252, 1200. Abolition, 1189. (See also "Land Tax Bill.")

Land Tax Bill—Introduction and first reading, 2057; second reading, 2202, 2837; resolution fixing rates, 2846; Committee, 2848, 2947; remaining stages, 2954.


Latrobe Valley—Odours from outfall sewer, (qn.) 176. Inquiry by Public Works Committee, (qn.) 303. Unemployment, 1227, 1229. Latrobe Valley Community Hospital, (qns.) 2787, 3420, 3948, 5155. Assistance to widows, unmarried mothers and deserted wives, (qn.) 4527, 4665, (qn.) 4852, 5044. (See also "State Electricity Commission.")


Legal Aid Committee—Delays in assistance for divorce proceedings, (qn.) 4528.
INDEX.


Legal Profession Practice (Amendment) Bill—Introduction and first reading, 825; second reading, 919, 1321; Committee, 1323; remaining stages, 1324.

Lewis, Mr. E. W. (Dundas).
Aboriginal Affairs—Full-blood Aborigines in Victoria, 1471.
Address-in-Reply, 521.
Agriculture, Department of—Veterinary diagnostic clinic at Hamilton, 813. Agricultural extension services, 1285, 1683. Pastoral Research Station, Hamilton, 5149.
Alcoholic Drinks—Petition requesting restriction of sale to licensed premises, 5156.
Barley Marketing Bill, 5365.
Budget for Year 1970-71, 1221.
Cemeteries—Memorials, 3184, 3524, 3526, 3730, 4103, 5054. Loans to Hamilton cemetery trust, 3886.
Dairying Industry—Promotion of products overseas, 2195, 3729.
Education—Australian Broadcasting Commission television programmes, 4208.
Flammable Liquids—Inspection of vehicles, 1915.
Forests (Amendment) Bill, 2490, 2492, 2494.
Forests Commission—Use of Cherrypool land by scouts, 4615.
Geriatrics—Geriatric ward for Stawell District Hospital, 4736.
Grievances, 5054.
Hamilton Arts Council Eisteddfod Committee—Government grant, 1800.
Hamilton Waterworks Trust—Population and area served, 2665.
Health, Department of—Control of school tuckshops, 2197. Natimuk and Murtoa pre-school centres, 4002.
Housing Commission—Homes: For Rupanyup, 916; for Great Western, 4037, 4736.
Kindergartens and Pre-school Centres—Visits by doctors, 1558.
Late-night Shopping—For Hamilton, 3950.
Local Government—Proposed inquiry, 911.
Local Government (Municipalities Assistance Fund) Bill, 4344.
Meat Industry—Lamb production, 1223. New Zealand lamb export system, 1285, 1802.
Medical Practitioners—Shortage in country hospitals, 1558.
Mentally Retarded Children—Pleasant Creek Special School, 4957.
Mines Department—Bore testing for water supply for Harrow, 4736.
Minister of Education—Meetings to disseminate information, 914, 2198.
Municipalities—Subsidies for municipal services, 1224.
National Parks Bill, 3200.
Petition—Requesting restriction of sale of alcoholic drinks to licensed premises, 5156.
Petrol—Price, 4394.
Public Works and Services Bill, 2922.
Public Works Department—Water supply at Kent Road, Hamilton, Primary School, 2047. Work at Stawell Technical School, 4048. Erosion at Portland, 4048. Tenders for work at Edenhope High School, 4958. Tenders for residence at Cavendish Primary School, 4958.
Pyramid Selling—Activities of Golden Products (Aust.) Pty. Ltd., 4779.
Railway Works and Services Bill, 2679.
Roads—Balmoral railway bridge, 4954.
Rupanyup—Closure of swimming pool, 1682.
Rural Areas—Need for assistance, 521.
Rural Reconstruction Scheme—Implementation, 4554.
Shrine of Remembrance—Repairs, 4614.
Soldier Settlement Act—Interest rates, 1100.
State Development Bill, 3121.
State Development, Department of—Need for industry in country areas, 522, 1223. Toilet facilities at Murtoa, 5313.
State Electricity Commission—Power lines in rural areas: Advice to aircraft operators, 3734.
Stock (Artificial Breeding) (Amendment) Bill, 5010.

Lewis, Mr. W. J. (Portland).
Agriculture, Department of—Eradication of footrot, 607. Fruit fly inspections, 4739.
Address-in-Reply, 543.
Budget for Year 1970-71, 1224.
Cattle Compensation Fund—Finance, 1686.
Cemeteries—Hamilton Public Cemetery Trust, 2047.
Country Fire Authority—Supervision of fire brigades, 1225.
Country Roads Board—Road construction in Portland, 4403.
Dog-racing—Track for Horsham, 2904. Additional tracks, 4464. Amenities for public, 4615.
INDEX.

Lewis, Mr. W. J.—continued.


Estimates—For year 1970-71, 3420.

Fisheries and Wildlife Branch—Revenue from fishing and shooting licences, 3183.

Foot and Mouth Disease—Use of goat hair in floor coverings, 2434.


Government Vehicles—Method of disposal, 3058.

Green Granite—Mining at Bailey Rocks, 4053, 4102.

Grievances, 5045.

Groundwater Act—Administration, 3730.

Health, Department of—Mobile dental services, 1916. Senior citizens' club for Casterton, 4522.

Heywood Sewerage Authority—Sewerage scheme, 4310.

Horse-racing—Country club meetings, 801.

Hospitals and Charities Commission—Shortage of hospitals in country areas, 1225. Penshurst hospital, 2304. Shortage of nurses at public hospitals, 3420. Hospital finances, 4313, 4559. Portland District Hospital, 4559.

Housing Commission—Size of building blocks in country areas, 1003. Programme for Portland, 2904.

Justices of the Peace—Terms of office of shire presidents, 4395.

Land (Amendment) Bill, 1451, 1452.


Lands Department—House at Penshurst, 4042.

Local Government (Municipalities Assistance Fund) Bill, 4345.


Medical Practitioners—Recruitment from overseas, 1385. Shortage in country areas, 1385.

Motor Vehicles—Parking of stock trucks in country towns, 1920. Speed limit for heavy trucks, 2048.


Nursing Profession—Shortage of nurses at public hospitals, 3420.

Police Department—Amphometers, 4204.


Ports and Harbors Branch—Erosion at Portland, 4048.

Primary Industry—Problems of farmers, 1225.

Princess Margaret Rose Caves Reserve—Grant for new toilet block, 912. Lack of facilities, 5045. Electric power supply, 5149.

Public Works and Services Bill, 2922.

Public Works Department—Tenders, 1467. Racing (Amendment) Bill, 3220.

Raffles—Fund raising by junior sporting clubs, 602.

Roads—Inspection of bridges, 1286. Sealing of main roads, 4042.

Road Safety—Speed limit for heavy trucks, 2048. Accident at Weerite level crossing, 2048.

Road Traffic (Road Safety and Traffic Authority) Bill, 2605.

Rural Finance and Settlement Commission—Loans to school advisory councils, 2785. McNicol and Retreat estates, 5235.

Rural Industry—Depressed state in Portland, 543.

Sewerage Authorities—Amalgamation with water trusts and municipalities, 3731.

State Development—Government assistance for decentralization, 1381.

State Electricity Commission—Power supply for Princess Margaret Rose Caves Reserve, 1098.

State Forests Works and Services Bill, 1736.


State Savings Bank—Loans to municipalities, 651.
Lewis, Mr. W. J.—continued.

Supply, 4559.
Teachers Tribunal—Representation of teachers, 2201.
Tourism—In Portland area, 544.
Transport Regulation Board—Road transport of wool, 528.
Universities—Establishment of fourth university at Portland, 703, 5319.
Vermin and Noxious Weeds (Amendment) Bill, 1744.
Vermin and Noxious Weeds Destruction Board—Use of poison “1080”, 4104.
Victorian Railways—Heywood level crossing: Accidents, 170; warning lights, 170. Accident at Weerite level crossing, 2048. Portland—Melbourne service, 3898, 4961.
Water Supply Works and Services Bill, 2515.

Library Committee—Assembly members appointed, 255.


Lind, Mr. A. A. C.—continued.


Geriatrics—Greenvale Village for the Aged, 915.

Hairdressers Registration (Amendment) Bill, 1588.


Health (Tuberculosis Arrangement) Bill, 4551.


Hospitals Superannuation (Amendment) Bill, 550, 552.

Housing Commission—Priorities for allocation of accommodation, 918. Availability of houses, 1177, 1178.

Howard Florey Institute of Experimental Physiology and Medicine Bill, 4899.

Ice-cream—Ingredients, 5324.

Libraries—State Library: Lighting, 4614; hours of operation, 4614; provision for research workers, 4614.

Medical Practitioners Bill, 2610, 2617, 2620, 2622, 2623, 3617.

Mental Health Authority—St. Nicholas Hospital, 114. Glenhuntly Rehabilitation Centre, 1170. Nurses, 1171, 1682. Social workers, 1681, 1682, 4738. Long service leave entitlement of mental
INDEX.

Lind, Mr. A. A. C.—continued.


Mentally Retarded Children—Teacher training bursaries, 1681. Subsidies for sheltered workshops, 3065. Day nurseries: Commonwealth subsidies, 3065; allowances for teachers, 3524; subsidies for administrative staff, 3525; training of teachers, 3734.

Motor Registration Branch—Registration of vehicles and driving licence testing at Dandenong, 1907.


Public Trustee (Amendment) Bill, 5329.

Public Works and Services Bill, 2943.


Rubella—Incidence, 1509. Vaccine, 4412. Senate Select Committee on Health and Welfare—Evidence from Department of Health officers, 4311. Evidence from Mental Health Authority officers, 4402.

Social Welfare Bill, 3294.

State Grants (Mental Health) Act—Grants from Commonwealth to State, 245, 299.

Summary Offences (Trespassers) Bill, 3593.

Teaching Service (Tribunal) Bill, 2372, 2699.

 Universities—Physical education course at University of Melbourne, 48. Tasmanian applicants for Bachelor of Dental Science course, 4734.

Valuer-General—Revenue, 4403. Compulsory acquisition valuations, 4403.

Victorian Bands League—Grants, 3400.


Liquor Control (Amendment) Bill—Introduction and first reading, 3953; second reading, 4228, 5063; Committee, 5069; remaining stages, 5070. Council amendments dealt with, 5398.


Litter Act—Offences and penalties, (qn.) 300.

Litter (Proceedings for Offences) Bill—Introduction and first reading, 4097; second reading, 4125, 5000; Committee, 5005; remaining stages, 5006.

Loan Application Bills—Form of presentation, (qn.) 1102.


Local Authorities Superannuation (Disability Benefits) Bill—Received from Council and first reading, 2339; second reading, 2445, 3540; remaining stages, 3542.

Local Authorities Superannuation (Disability Benefits) (Commencement) Bill— Received from Council and first reading, 4890; second reading, 4968; remaining stages, 4969.

Local Government—Committee of inquiry on finance, (qns.) 911, 1092.

Local Government (Further Amendment) Bill—Received from Council and first reading, 4688; second reading, 4876, 5358; Committee, 5363, 5367; remaining stages, 5377.
Local Government (Municipalities Assistance Fund) Bill—Appropriation resolution, 3832; introduction and first reading, 3832; second reading, 3845, 4329; Committee, 4335; remaining stages, 4346.

Lotteries Gaming and Betting (Amendment) Bill—Introduction and first reading, 143; second reading, 185, 546; resolution fixing fees, 549; Committee, 549; remaining stages, 550.

Lovegrove, Mr. Denis (Sunshine).

Apprenticeship (Amendment) Bill, 1592, 1596.

Budget for Year 1970-71, 1229.

Commonwealth Places (Administration of Laws) Bill, 2215.

Companies—Activities of multi-national corporations, 1231.

Education—Grants to registered schools, 4654.

Education Department—Tottenham North Primary School, 3379. Braybrook High School, 3879. Sunshine electorate: Primary schools, 3879; teachers, 4655.

Electoral—Enrolments in electorates and provinces, 3936. Redistribution, 3936.

Environment Protection Bill, 2966.


“Hansard”—Salary of female reporter, 3371.


Inflation—Developmental policies, 4652.

Lower Yarra Crossing—Road development, 4047. Completion, 4047.

Melbourne and Metropolitan Board of Works—Unsewered premises in Sunshine electorate, 3888.

Melbourne and Metropolitan Tramways Board—Payments to retiring chairman and deputy chairman, 811.

Melbourne Underground Rail Loop Bill, 2144, 2145.

Motor Vehicles—Speed limits for commercial vehicles, 3870.


Lovegrove, Mr. Denis—continued.

New Broken Hill Consolidated Limited Bill, 4897.

Point of Order—Discussion of detail of Bill, 2961.


Pollution—Of Port Phillip and Westernport bays, 2563. Emissions from Colvan Potato Products Pty. Ltd., Fitzroy, 3410.

Poverty—Incidence, 1232.

Presbyterian Church of Australia Bill, 4666.

Price Control—Introduction, 4652.

Rent Control—Activities of Metropolitan Fair Rents Board and Rental Investigation Bureau, 1233, 3939.

Snowy Mountains Engineering Corporation (Victoria) Bill, 4132, 4135.

Stamps (Credit Business) Bill, 5061.

State Development Bill, 3096, 3139.


State Finance—Commonwealth-State financial relations, 1231, 4651.

Supply, 4651.


Youth Organizations—Financial assistance to organizations in Sunshine electorate, 3871.

Lower Yarra Crossing—Road Development, (qn.) 4047. Completion, (qn.) 4047. (See also “West Gate Bridge Disaster” and “West Gate Bridge Royal Commission Bill.”)

Loxton, Mr. S. J. E. (Prahran).

Chairman of Committees—Election of Sir Edgar Tanner, 54.

Health, Department of—Gas leak at Prahran factory, 4221.

Medical Practitioners—Petition requesting exemption from section 65 of the Crimes Act, 1106.

Petition—Exemption of legally qualified medical practitioners from section 65 of the Crimes Act, 1106.
McCabe, Mr. J. E. (Lowan).
Address-in-Reply, 3428.
Agriculture, Department of—Wheat Research Institute, Horsham, 1802.
Barley Marketing Bill, 5367.
Dog Bill, 3753.
Groundwater—Control, 3431.
Health, Department of—Offensive trades: Pig industry, 3439. Transfer of administration of pre-school centres to Education Department, 4744.
Labour and Industry (Amendment) Bill, 1749.
Local Government (Municipalities Assistance Fund) Bill, 4335, 4339.
National Parks Bill, 3213.
Point of Order—Scope of debate on Estimates, 3416.
Primary Industry—Loans, 3430.
Probate Duty—Abolition, 3430.
Probate Duty Act—Proclamation, 4960.
Public Works and Services Bill, 2921.
Racing (Amendment) Bill, 3221.
Rural Economy—Creation of rural industries board, 3429.
Seeds Bill, 5346, 5354.
Serviceton Sewerage Scheme—Finance, 4222.
Soil Conservation and Land Utilization (Amendment) Bill, 4903.
Subordinate Legislation Committee—Scrubtity of municipal by-laws, 3431.
Vermin and Noxious Weeds (Amendment) Bill, 1739, 1743.
Victorian Railways—Club car on Overland express, 490. Murtoa—Hopetoun line passenger service, 4855.
Wheat Industry—Problems, 3429.
Wheat Marketing (Amendment) Bill, 3532.

MacDonald, Mr. J. D. (Glen Iris).
Racing (Amendment) Bill, 3218, 3224.

McDonald, Mr. R. S. L. (Rodney).
Audit (Auditor-General) Bill, 1428.
Boilers and Pressure Vessels Bill, 554.
Building Societies (Amendment) Bill, 4238.
Co-operative Housing Societies (Amendment) Bill, 341.
Environment Protection Bill, 2958.
Footwear Regulation Bill, 499, 302, 503, 505, 507, 3622.

McDonald, Mr. R. S. L.—continued.
Health, Department of—Subsidies for crèches, 4102.
Health (Tuberculosis Arrangement) Bill, 4551.
Historical Societies—Grants and subsidies, 993, 1169.
Home Finance (Amendment) Bill, 339.
Municipalities—Road-making costs at Echuca, 1172.
Museums—Grants and subsidies, 993, 1169.
Presbyterian Church of Australia Bill, 4567.
Public Account Bill, 1445.
Public Works and Services Bill, 2942.
Scaffolding Bill, 4981.
Science Museum of Victoria Bill, 3629.
Sewerage Districts (Amendment) Bill, 929, 1448, 1450.
Superannuation (Amendment) Bill, 2825, 2827.

McLaren, Mr. I. F. (Bennettswood).
Audit (Auditor-General) Bill, 1429.
Budget for Year 1970-71, 1158.
Budget Papers—Form of presentation, 1158.
Building Societies (Amendment) Bill, 4240.
Commonwealth Constitution—Proposed amendment, 1032.
Companies Bill, 5189.
Daylight Saving—Introduction in Victoria, 2581.
Gas and Fuel Corporation (Geelong Gas) Bill, 4761.
Gas and Fuel Corporation (Pipeline) Bill, 5169.
Gas Franchises Bill, 3235, 3242, 3247.
Government Departments and Instrumentalities—Management techniques, 5057.
Grievances, 2580, 5057.
McLaren, Mr. I. F.—continued.

- Housing Commission — Commonwealth occupation of land at Holmesglen, 4625.
- Interest Rates—High level, 5057.
- Land Tax Bill, 2841.
- Law Department—Court facilities in City of Waverley, 2580.
- Melbourne and Metropolitan Tramways Board—Work at Wattle Park tram terminus, 1175.
- Municipalities—Cross-over at Box Hill South, 2581.
- National Trust of Australia—Government assistance, 3399.
- Parliament House—Facilities for members, 2581.
- Presbyterian Church of Australia Bill, 4567.
- Public Trustee (Amendment) Bill, 5328.
- Railway Works and Services Bill, 2680.
- Registration of Births Deaths and Marriages (Amendment) Bill, 741.
- Royal Historical Society of Victoria—Grants, 3398.
- Social Welfare Department — Allambie Reception Centre, 2521.
- Stamps (Credit Business) Bill, 5062.
- State Development Bill, 3137.
- State Finance — Commonwealth—State financial relations, 5058.
- Survey Co-ordination (Place Names) Bill, 4904.
- Trustee Companies (Equity Trustees) Bill, 4777.
- Urban Renewal Bill (No. 2), 1505, 1840.
- Victorian Railways—Double-decker carriages, 5322.
- Youth Organizations—Financial assistance, 160.

Maclean, Mr. R. R. C. (Gippsland West).

- Address-in-Reply, 52.
- Coal Mines (Pensions) Bill, 4896.
- Coal Mines (Pensions Increase) Bill, 946.
- Coal Mines Pensions Fund—Actuarial investigation, 4624.

Conservation—Preservation of parks and wildlife reserves, 53.
- County Court (Jurisdiction) Bill, 4351, 4352, 4774.
- Education Department—Pakenham High School, 4107, 4313. Koo-Wee-Rup Primary School, 4743.
- Environment Protection Council, 2992.
- Fisheries (Amendment) Bill, 5394.
- Groundwater Act—Granting of licences, 5320.
- Groundwater Appeal Board—Jurisdiction, 5235.
- Labour and Industry (Amendment) Bill, 1758.
- Land Conservation Bill, 643.
- Land Tax Bill, 2843, 2951.
- Local Government (Municipalities Assistance Fund) Bill, 4339.
- Phillip Island—Petition on imposition of toll, 3828.
- Pollution—Establishment of chair of environmental studies at University of Melbourne, 53.
- Pollution Control Authority—Establishment, 53.
- Protection of Animals (Rodeos) Bill, 5387.
- Scaffolding Bill, 5079.
- Seeds Bill, 5355.
- State Development Bill, 3133.
- Summary Offences (Trespassers) Bill, 3573.
- Supply, 4643.
- Water Supply Works and Services Bill, 2517.

Magna Group of Companies—Activities, (qn.) 3952.

Maintenance (Amendment) Bill—Introduction and first reading, 1567; second reading, 1577, 2225; Committee and remaining stages, 2226.

Maldon—Preservation for National Trust, 1221.

Mannequins—Breaches of award, (qns.) 2435, 3189.
Margarine—Control of production quotas, (qn.) 5318.

Marine Board—Pilotage charges, (qn.) 1921.

 Marketable Securities (Amendment) Bill—Introduction and first reading, 1107; second reading, 1305, 2339; Committee and remaining stages, 2339.

Marketing of Primary Products Act—Consumers' committee, (qn.) 171.

Marketing of Primary Products (Amendment) Bill—Received from Council and first reading, 4351; second reading, 4413, 4904; remaining stages, 4904.

Meagher, Mr. E. R. (Frankston).


Building Societies (Amendment) Bill, 1929, 2076, 4241, 4242, 4974.

Commonwealth Constitution—Proposed amendment, 853.

Co-operative Housing Societies (Amendment) Bill, 1929, 1481, 3438.

Housing Commission—Homes: Interest rates on units sold, 111; applications and waiting lists, 806, 4308; fly-wire screens, 814; for Traralgon, 914; for Rupanyup, 916; for servicemen, 917; units purchased and demolished in Fitzroy, 1003, 4320; for Hastings, 1177; availability, 1177, 1178; hot water services, 2307; in Westernport area, 3899, 3901; for Great Western, 4038, 4736; for Edenhope, 4038; completed, 4308; for rental, 4308; sold, 4308; in Dandenong electorate, 4361. Flats in Carlton for service personnel, 169. Happy Valley estate, North Melbourne, 177. Expedition on new accommodation, 237. Evictions, 400, 806, 917. North Fitzroy reclamation area, 402, 1004, 1096, 1105, 2255, 4571. Rents: Collection, 402; payment by third parties, 531; rebates, 906, 2436; increases, 2666. Geelong area: Corio shopping complex, 527, 3883; applications for purchase and rental of homes, 906; development, 2433; units planned, 2780; maintenance programme at Norlane, 2780; flats for elderly citizens at East Geelong, 4526; rental homes at Norlane, 4851; homes completed, 4852. Glen Gala estate, Sunshine, 703. Lothian Street, North Melbourne, development, 806, 1466, 1926. Flats in Melbourne electorate, 806. Land owned in metropolitan area, 807. Accommodation for deserted wives and lone persons, 906. Flat construction plans, 906. Development plans, 906. Applications for accommodation in Brunswick East electorate, 906. High-rise flats in Wilson Street, Brunswick, 912. 1003. Darby and Joan flats at Golden Square, 915. Melbourne and Metropolitan Board of Works report on residential standards, 917. Priorities for allocation of accommodation, 918. Broadmeadows "K" estate, 1002. Acquisition of properties in and proposals for Carlton areas, 1003, 1466, 2195, 2255, 3943, 4101, 4571. Size of building blocks in country areas, 1003. Death
Meagher, Mr. E. R.—continued.


Land—Acquisition by Government departments and instrumentalities, 3412. For kindergarten at South Melbourne, 1387.

Land Conservation Bill, 648.

Melbourne and Metropolitan Board of Works—Report on residential standards, 917.

Migrant Hostels—Power of Housing Commission to issue demolition orders, 1692.

Personal Explanation—Answer to question without notice, 824.


Police Department—Report by Colonel Sir Eric St. Johnston, 4262, 4266.

State Forests Works and Services Bill, 1293, 1393, 1738.

State Savings Bank—Loans to municipalities, 651.

Summary Offences (Trespassers) Bill, 3577.

Meagher, Mr. E. R.—continued.

Urban Renewal Act—Proclamation, 4859. Appointment of Commissioners and members of advisory committee, 5320.

Urban Renewal Bill (No. 2), 495, 727, 1388, 1578, 1830, 1831, 1832, 1836, 1839, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1853, 1856, 1857, 3438, 3439.

Vermin and Noxious Weeds Destruction Board—Use of poison, "1080", 3901, 3902.

Meat Industry Committee—Assembly members appointed, 55. Report presented: Pet food industry, 3526. (See also "Joint Select Committee (Meat Industry) Bill.")

Medical Practitioners. (See "Hospitals and Charities Commission—Medical Practitioners.")

Medical Practitioners Bill—Introduction and first reading, 1393; second reading, 2210, 2610; appropriation resolution, 2616; Committee and remaining stages, 2616. Council amendments dealt with, 3617.

Melbourne and Metropolitan Board of Works—


Property—Acquisition in Watsons Creek area, (qns.) 2305, 2583.
Melbourne and Metropolitan Board of Works—continued.


Water Supply—Acquisition of property for Lower Yarra dam complex, (qn.) 1283. Overflow of water at Upper Yarra dam, (qn.) 1283.

Melbourne and Metropolitan Board of Works Bill—Received from Council and first reading, 2682; second reading, 2836, 3620; Committee and remaining stages, 3621.

Melbourne and Metropolitan Tramways Board—continued.


Melbourne City Square—Acquisition of property, (qn.) 1921.

Melbourne Cricket Ground—Toilet facilities, (qns.) 533, 705.

Melbourne Cup Day—Proposal for long week-end, (qn.) 488.

Melbourne Underground Rail Loop Bill—Appropriation resolution, 1293; introduction and first reading, 1293; second reading, 1473, 2083; Committee, 2141; remaining stages, 2152. Council amendments dealt with, 2498.

Melbourne University Land Bill—Introduction and first reading, 4226; second reading, 4321, 4757; Committee and remaining stages, 4757.

Melbourne Wholesale Fruit and Vegetable Market—Rental charges, (qn.) 4856.

Members—continued.


Memorials. (See "Cemeteries.")

Mental Health Authority—continued.


Methodist Church (Victoria) Property Trust Bill—Introduction and first reading, 824; declared a private Bill, 924; motion to treat as public Bill agreed to, 924; second reading, 924, 1336; Committee, 1340; remaining stages, 1340.


Metropolitan Fire Brigades (Amendment) Bill—Introduction and first reading, 1292; second reading, 1452, 1942; Committee, 1945; remaining stages, 1953.

Metropolitan Fire Brigades Board—Municipal contributions, 218, (qn.) 232, (qn.) 606, 1218, 3408.


Metropolitan Transportation Plan—Amendments, (qn.) 300. Geelong and Altona rail services, (qn.) 300.

Migrants—Victorian migrants, 1154, 3878, 4446. (See also "Immigration.")


Miners Pensions. (See "Coal Mines (Pensions) Bill," "Coal Mines Pensions Fund" and Coal Mines (Pensions Increase) Bill.")


Miners Department—Quarrying operations at South Morang, 524. Bore testing at Harrow, (qn.) 4736.


Ministry, The—Changes in appointments, 44. Retirement of Chief Secretary, (qn.) 245. Making of important announcements, (qn.) 530. Replies to matters raised on motion for adjournment of House, (qn.) 3065. Resignation
of Mr. Reid as Minister of Immigration, 3736. Appointment of the Hon. V. O. Dickie as Minister of Immigration, 3736. Appointment of Mr. Dunstan as Minister without Portfolio, 3736. Appointment of Mr. Scanlan as Parliamentary Secretary of the Cabinet, 3736. Resignation of Sir Arthur Rylah, 3893. Appointment of Mr. Reid as Chief Secretary, 3896. Resignation of Minister for Local Government, (qn.) 4109. Unannounced visits to electorates, 4564. Appointment of Mr. Hamer as Chief Secretary, 5150. Appointment of the Hon. A. J. Hunt as Minister for Local Government, 5150.

Mitchell, Mr. T. W.—continued.


Money Lenders (Prescribed Interest) Bill—Introduction and first reading, 721; second reading, 827, 1327; remaining stages, 1329.

Moorabbin Airport—Extension of runway, (qns.) 112, 244, 246, 491. Safety measures, (qn.) 1100.


Moss, Mr. G. C. (Murray Valley).


Motions for the Adjournment of the House to Enable Honorable Members to Discuss Public Questions—State Electricity Commission: Closure of Castlemaine office, 2076. Mental Health Authority: Administration of institutions, 3925. Motor Car (Amendment) Bill—Introduction and first reading, 143; second reading, 181, 425; Committee, 429; remaining stages, 431.

Motor Car (Driving Offences) Bill—Introduction and first reading, 3953; second
Motor Car (Driving Offences) Bill—continued.
reading, 4111, 5192; Committee, 5225; remaining stages, 5231. Council amendments dealt with, 5400.

Motor Car (Fees) Bill—Appropriation resolution, 1568; introduction and first reading, 1568; second reading, 1734, 2827; resolution fixing rates, 2835; remaining stages, 2835.

Motor Car (Safety) Bill—Introduction and first reading, 2310; second reading, 2314, 2793; Committee, 2811; remaining stages, 2815. Council amendments dealt with, 3737.

Motor Registration Branch—Motor registration fees: Concessions to handicapped persons, 227; disbursements, 292; rate, 1214; renewal notices, (qns.) 2194. Driving licences, 634, 1130, (qns.) 1909, 5152. Registration office at Morwell, (qn.) 709.

Motor Vehicles—continued.


Municipal Association (Amendment) Bill—Introduction and first reading, 3832; declared a private Bill, 3845; motion to treat as public Bill agreed to, 3845; second reading, 3845, 3997; remaining stages, 3997.

Municipalities—
Municipalities—continued.

"Local Authorities (Disability Benefits) Bill," "Local Authorities (Disability Benefits) (Commencement) Bill" and "Municipal Association (Amendment) Bill."

Box Hill—Cross-over at Box Hill South, 2581.


Coburg—Proposal for Tullamarine Freeway as municipal boundary, (qn.) 703. Drainage control and maintenance of Coburg Lake, (qns.) 4039, 4403. Street construction charges, (qn.) 4739.

Corio—Proposed multi-shopping complex, (qns.) 527, 3883.

Diamond Valley—Application to take over maintenance of Greensborough cemetery, 3440. Grant for elderly citizens' room, 3440.

Dunmunkle—Toilet facilities for Murtoa, (qn.) 5313.

Echuca—Road-making costs, (qn.) 1172.

Essendon—Proposal for Tullamarine Freeway as municipal boundary, (qn.) 703.


Hastings—Petition for re rate concessions to industry, 1473.


Marong—Land for Bendigo Tooling Company, (qn.) 4964.


Phillip Island—Planning scheme, (qns.) 1682, 4042.

Robinvale—Siting of sewage treatment works, (qn.) 1102.

Shepparton—Application by city council for four wards, (qn.) 5313.


Werribee—Rating of rural land, (qn.) 2195, 3634, (qns.) 4411, 4865.

Museums—Grants, (qns.) 993, 1169.

Mutton, Mr. J. P. (Coburg).

Alcoholic Drinks—Sale of "Shandy" soft drink in milk bars, 3896.

Australian Natives Association—Hospital benefits, for pensioners, 3877, 4954.

Brown Coal—Supplies in Yallourn—Sale area, 1098.

Budget for Year 1970-71, 1202.

Burwood Boys Home—Establishment, accommodation and subsidies, 3061.


Cemeteries (Fawkner Crematorium and Memorial Park) Bill, 4905, 4908.
Censorship—Introduction of "R" classification for films, 1009.
Chiropractors—Registration, 3887, 5035. Standards, 5035.
Coburg Lake—Maintenance, 4039, 4403.
Education Department—Accident insurance for students, 48. Permanent classified teachers, 525. Shortage of teachers, 525. Coburg High School, 1106. Teacher training in Daylesford area, 1279.
Environment Protection Act—Proclamation of sections, 4527. Implementation, 4670.
Environment Protection Bill, 2976, 2995, 2996.
Firearms—Uniform control, 173, 4613.
Firearms Bill, 3998, 3999, 4000.
Friendly Societies Act—Registration of Australian Natives Association Consolidated Hospital Benefit Fund, 3877.
Gas, Natural—Detection of leakages, 1557. Damage to household appliances, 1557.
Government Boards and Commissions—Number and costs, 993.
Government Departments—Tenancies, 1921.
Government Finance—Suggested inquiry, 4034.
Grievances, 2582, 5052.
Health, Department of—Subsidies for preschool centres, 4668.
Hire Purchase (Insurance) Bill, 2326, 2328.
Hospitals and Charities Commission—Hospitals for the aged, 298. Living aids for aged persons, 3944.
Housing Commission—Rebated rentals policy, 2583.
Insurance—Companies wound up, 302. Legislative control of insurance companies, 1388.
Labour and Industry (Shop Closing) Bill, 938, 942.
Lake Eildon—House boats, 4225, 4405. Pollution, 4405.
Local Authorities Superannuation (Disability Benefits) Bill, 3542.
Local Government (Further Amendment) Bill, 5362, 5368, 5376.
Local Government (Municipalities Assistance Fund) Bill, 4330, 4340.
Melbourne Cup Day—Observance on Monday, 488.
Melbourne Underground Rail Loop Bill, 2120, 2148.
Pensioners—Rate concessions, 1203.
Police Department—Chain letters, 609. Armed hold-ups, 4100.
Prisons Division—Pentridge Gaol: Inquiry into "H" Division, 913; proposed works, 1101; maximum security provisions, 3827; staff cuts, 3892; manning, 3892. Resignations, 3892. Prison officer at Law Courts, 3892. Legal representation of officers departmentally charged, 3892. New South Wales system of weekend gaol sentences, 4312, 4405.
Private Nursing Institutions—Charges, 3952.
Public Works and Services Bill, 2924.
"Shandy" Soft Drink—Sale in milk bars, 3896.
State Electricity Commission—Municipal electricity undertakers, 807.
State Finance—Suggested inquiry, 4034.
State Relief Committee—Herald Hampers for Pensioners' Christmas Fund, 2582.
State Savings Bank—Loans to local government authorities, 3732.
Supply—4667.
Swimming Pools—Covers for private pools, 5152, 5320.
Victorian Dairy Produce Board—Cheese: Manufacture, 4521; consumption, 4521; import and export, 4521.
Mutton, Mr. J. P.—continued.


Week-end Gaol Sentences—New South Wales system, 4312, 4405.

O.

Off-shore Oil and Gas—Development, 1117. Revenue, 1117. Control, 1121. Graticular system, 1122, 1126, 1155. Royalties, 1122, 1155, 1164, 1197, (qn.) 3900, (qn.) 3901, (qn.) 4201, (qn.) 4202, 4427, 4445. Leases, 1215. Pollution prevention measures, (qn.) 3189. Arrangements with development companies, 4460. (See also “Gas, Natural” and “Gas and Fuel Corporation.”)


P.

Pakistan—Provision for flood relief, (qn.) 2200.


Parliamentary Commissioner (Ombudsman) Bill—Introduction and first reading, 181.

Parliamentary Salaries Bill—Appropriation resolution and first reading, 3191; second reading, 3368, 3741; remaining stages, 3743.

Parliamentary Superannuation Bill—Introduction and first reading, 4865; second reading, 4875, 5060; appropriation resolution, 5060; Committee and remaining stages, 5060.

Pay-roll Tax. (See “Taxation—Commonwealth Pay-roll Tax.”)

Pensioners—Concessions: On interstate railways, (qns.) 113, 4041; on Melbourne and Metropolitan Board of Works rates,
Pensioners—continued.
(qn.) 239, 290; on Ballarat and Bendigo tramways, (qn.) 393; on private bus lines, (qn.) 395, (qn.) 1290; on trams and trains, (qns.) 396, 1009; on inland angling licences, (qn.) 901; on municipal rates, 1203, (qn.) 3059; on Geelong bus lines, (qn.) 4733; on gas tariffs, (qn.) 4852. Pensions for silicosis, 1220.

Pentridge Gaol. (See "Prisons Division.")

Personal Explanations—By Mr. Holding, 615. By Sir Arthur Rylah, 754. By Mr. Meagher, 824. By Mr. Balfour, 1693. By Mr. Rafferty, 1694.


Phillip Island Conservation Bill—Introduction and first reading, 1107; second reading, 1307.

Pipelines—Applications for construction, (qn.) 1104. Oil pipeline between Albert Park and Port Melbourne, (qn.) 2052, 2055, 2056. Oil pipeline from Williams-town to Altona, (qn.) 4960. (See also "Gas and Fuel Corporation (Pipelines) Bill" and "Victorian Pipelines Commission.")

Pipelines (Amendment) Bill—Introduction and first reading, 4866; second reading, 4873, 5162; Committee, 5164, 5231; remaining stages, 5233.

Point Nepean—Return from Commonwealth for marine national park, (qns.) 1470, 1554.

Point Ormond—Proposed restaurant, (qn.) 1289.

Poison "1080"—Use at Hattah and Kulkyne, (qns.) 3901, 3902. Effectiveness, (qn.) 4104.

Poker Machines—Manufacture for use in Victoria, (qn.) 4529, 5147.

Police Department—

INDEX.

Police Department—continued.


Police Department—continued.


Police Regulation (Amendment) Bill—Introduction and first reading, 3832; second reading, 3826, 4346; Committee, 4350; remaining stages, 4351.


Pollution—continued.


Port Welshpool—Repairs to outer berth, (qns.) 1808, 1922, 2051, 2299.


Premier’s Department—Government directive on services and personnel, (qn.) 3869.

Presbyterian Church of Australia Bill—Introduction and first reading, 3953; declared a private Bill, 4057; motion to treat as public Bill agreed to, 4057; second reading, 4057, 4566; Committee and remaining stages, 4568.

Pre-school Centres. (See “Health, Department of—Child Care Centres.”)

Pre-school Education—Inadequacies, 1153. Provision, 1190.

Press Passes—Privileges, (qn.) 480.


Primary Industries—

Barley Industry. (See “Barley Marketing Bill.”)


INDEX.

Primary Industries—continued.
probate duty, 3430. Farmers' debts adjustments and farm rehabilitation schemes, (qns.) 3528, 4032, 4100.


Tomato Industry. (See "Tomato Processing Industry (Amendment) Bill.")


Princess Margaret Rose Caves Reserve—Provision of toilet block, (qn.) 912. Electricity supply, (qn.) 1098, 5045, 5149.

Printing Committee—Appointed, 55.

Prisons Division—


Probate Duty Bill—Appropriation resolution, 2313; introduction and first reading, 2314; second reading, 2338, 2668; Committee and remaining stages, 2670.

Protection of Animals (Rodeos) Bill—Received from Council and first reading, 4464; second reading, 4542, 5384; Committee, 5387; remaining stages, 5388.

Public Account Bill—Appropriation resolution, 825; introduction and first reading, 825; second reading, 923, 1442; Committee, 1446; remaining stages, 1447.

Public Accounts. (See "State Finance.")

Public Accounts, Committee of—continued.

Reports presented: Public Trustee, 1567; Government expenditure on tourism, 3093; Auditor-General's reports for 1969-70, 5343; Treasury minutes on reports of committee upon the Forestry Fund, Public Works Department, Victorian Government light motor transport system, control and management of stores operated by Government departments and instrumentalities, and Public Trustee, 5343.


Public Service—Professionally qualified social workers, (qns.) 901, 1905. (See also "Government Departments and Instrumentalities.")

Public Service (Amendment) Bill—Introduction and first reading, 1016; second reading, 1020, 1315; Committee and remaining stages, 1316.


Public Trustee (Amendment) Bill—Introduction and first reading, 4530; second reading, 4628, 5072, 5326; appropriation resolution, 5330; Committee, 5330; remaining stages, 5331.

Public Works and Services Bill—Appropriation resolution, 1588; introduction and first reading, 1588; second reading, 1606, 2737, 2908; Committee, 2910; remaining stages, 2944.

Public Works Committee—Assembly members appointed, 55. Resignation of Mr. Trewin, 404. Appointment of Mr. Broad, 425. Resignation of Mr. Scanlan, 3616. Appointment of Mr. McCabe, 3616.


Q.

Queen Victoria Market—Development of site, (qns.) 240, 3889, 5315.

Questions on Notice—Delays in answers to members, 256. Expense of preparation, (qn.) 1009.


R.

Racecourses Development Fund—Assistance to dog-racing clubs, (qn.) 491.

Racing. (See “Dog Bill,” “Dog-racing,” “Horse-racing,” “Racetracks Development Fund,” “Racing (Amendment) Bill” and “Trotting.”)

Racing (Amendment) Bill—Introduction and first reading, 2076; second reading, 2204, 3214; Committee, 3223; remaining stages, 3324.

Rafferty, Mr. J. A. (Glenhuntly).

Anzac Day—Factories curtailing production, 5036.

Apprenticeship (Amendment) Bill, 825, 1017, 1596, 1604, 1609, 1610.

Apprenticeship Commission—Supervision of apprentices, 172. Travelling allowances for country apprentices, 246.

Architects (Amendment) Bill, 732, 740, 3747, 3748.

Boilers and Pressure Vessels Bill, 144, 200, 555, 556, 1612.

Bread Industry—Deliveries beyond 30-mile limit, 171.

Chocolates—Marketing of under-weight products, 4225.


Education Department—Observance of health regulations, 534. Post-primary school for Melton, 1510. Watsonia Heights Primary School, 1620.

Employers and Employes (Attachment of Wages) Bill, 1567, 1576.

Estimates—For year 1970-71, 3401.

Footwear Regulation Bill, 144, 197, 199, 3621.

Geelong Harbor Trust—Disposal of polluted grain, 2782.

Government Departments and Instrumentalities—Tenancies, 1921.

Hamilton—Late night shopping, 3950.

Horse-racing—Industrial dispute, 1472.

Incinerators—Inspection and operation at ports and airfields, 1100, 5317.

Labour and Industry (Amendment) Bill, 1292, 1745, 1746, 1747, 1753, 2449.


Labour and Industry (Factories) Regulations 1969—Inspections and deficiencies, 3946.

Labour and Industry (Shop Closing) Bill, 722, 744, 1414, 1417, 1418.


Litter Act—Convictions and penalties, 300.

Lower Yarra Crossing—Road development, 4047. Completion, 4047.

Melbourne and Metropolitan Board of Works—Scaffolding accident at Essendon North, 1284.

National Wage Case—Effect of decision on prices, 3525.

Nursing Profession—Representation on Nurses Wages Board, 4054.

Parliament House—Staff conditions, 2434. Flagpole, 3189.

Pay-roll Tax—Rescission of vote, 3401.

Personal Explanation—Statement in debate, 1694.
Points of Order—Scope of debate on clause 2, 1599. Relevancy of remarks, 2602.

Pollution—Prosecution of shipping companies, 172. Of Port Phillip and Westernport bays, 2563. Oil slick off Gippsland coast, 3066, 3190.


Prisons Division—Proposed work at Pentridge Gaol, 1102.

Public Service (Amendment) Bill, 1020, 1316.

Public Works and Services Bill, 1588, 1696.


Pyramid Selling—Complaints, 4861.

Registration of Births Death and Marriages (Amendment) Bill, 334, 740, 743, 3620.


Roads—Inspection of bridges, 1286. Sealing of main roads, 4042.

Road Traffic (Road Safety and Traffic Authority) Bill, 2598, 2600, 2608.

Scaffolding Bill, 4111, 4118, 4999, 5073, 5076, 5078, 5079, 5080, 5081, 5082, 5083, 5084, 5396, 5397.

Scaffolding Regulations—Administration and policing, 110, 113, 5036.


Stock Diseases (Amendment) Bill, 3070.

Superannuation (Amendment) Bill, 2826.

Supply, 3401.

Supply (Supplementary Estimates) Bill, 5183.

Swimming Pools—Covers for private swimming pools, 5320.

Teaching Service—Proposed Select Committee, 3977.


Victoria Institute of Colleges—Reduction in Budget estimate, 2054.

Ways and Means, Committee of, 5183.

Work Force—Redundancy, 300.

Raffles—Limitations imposed, (qns.) 602.

Railways. (See "Victorian Railways.")

Railways Lands Bill—Appropriation resolution, 1320; introduction and first reading, 1321; second reading, 1570, 2225; Committee and remaining stages, 2225.

Railway Works and Services Bill—Appropriation resolution, 1760; introduction and first reading, 1760; second reading, 1968, 2670; Committee, 2681; remaining stages, 2682.

"Reader's Digest"—Sales activities, 4650.

Ready Mixed Concrete (Victoria) Pty. Ltd.—Agreement with owner-drivers, 5238.


Refrigerators—Compliance with food safety standard, (qns.) 608.

Registration of Births Deaths and Marriages (Amendment) Bill—Introduction and first reading, 50; second reading, 334, 736; Committee, 737; remaining stages, 743. Council amendments dealt with, 3619.

Reid, Mr. G. O. (Box Hill).

Aboriginal Affairs—Effect of Supreme Court ruling on word "Aboriginals", 1391.


Agriculture, Department of—Bee industry inspectors, 4154.

Alcoa of Australia (W.A.) N.L. Bill, 4627, 4753, 4754, 4755, 4756, 4764, 4867, 4868, 4905.

Anzac Day—Public holiday, 3939, 4053, 4274.
INDEX.

Reid, Mr. G. O.—continued.

Appeal Costs Fund Bill, 4226, 4324.
Building Industry—Activities of S. Maier, Mentone, 5240.
Business of the House—Days and hours of meeting, 4272.
Censorship—Portnoy’s Complaint, 178.
Chief Secretary’s Department—Effect of Government economies, 3872.
Collingburn, Mr. N. S.—Inquiry into death, 4407, 4408, 4409, 4525, 4526. Indemnity for persons making statements on death, 4571. Report from Police Department, 4746. Allegations against police, 4746.
Commonwealth Places (Administration of Laws) Bill, 1393, 1506, 2215, 2220.
Commonwealth State Relations—Establishment of all-party committee, 3186.
Companies Bill, 2443, 2815, 2824, 5191, 5192.
Company Law Advisory Committee—Report on fund raising, share capital and debentures, 2057.
Consolidated Revenue (Final Supplementary Estimates 1969–70) Bill, 3442.
Constitution Act Amendment (Responsible Ministers) Bill, The, 1729.
County Court (Jurisdiction) Bill, 4121, 4356, 4774, 5398.
Crimes (Amendment) Bill, 144, 187, 441, 537.
Criminal Appeals Bill, 1292, 1484, 1980, 2340, 2344, 2358, 2360, 3618, 3619.
Crown Proceedings (Forfeited Recognisances) Bill, 5179, 5331.
Demonstrations—Photographing of demonstrators, 4571.
Discharged Servicemen’s Preference (Amendment) Bill, 144, 187, 494.
Divorce Court—State of list, 3522.
Dog-racing—Additional tracks, 4465. Amenities for public, 4615.
Education Department—Pamphlet, Education, 71, 4528.
Ehrenhaus Retail Bottled Liquor Licence Bill, 4866, 4965, 5071.
Evidence (Registration of Commissioners) Bill, 3832, 3928, 4131, 4890, 4891.
Evidence (Scientific Tests) Bill, 144, 188, 727.
Fisheries (Amendment) Bill, 4909, 4969.
Fisheries and Wildlife Branch—Correspondence, 3186.
Friendly Societies Act—Registration of Australian Natives Association Consolidated Hospital Benefit Fund, 3878.
Geelong Art Gallery—Capital grant, 4035.
Geelong Gas Company—Trading in shares, 4861.
Groundwater Appeals Board—Admissibility of appeals, 5240.
Hire Purchase (Insurance) Bill, 1567, 1612, 2327, 2328.
Homosexual Offences—Convictions, 3060.
Hospital Benefits Association—Election of contributor representatives, 612. Articles of association, 802.
Imperial Acts Application (Repeals) Bill, 180, 328, 332, 5235, 5397.
Joint Sitting of Parliament—Victoria Institute of Colleges: Vacancies on council, 4542, 4782, 4783, 4784.
Reid, Mr. G. O.—continued.

Judges' Pensions (Amendment) Bill, 180, 205.
Juries (Compensation) Bill, 826.
Justices (Bail and Appeals) Bill, 1567, 1932.
Justices of the Peace—Minimum age, 4110. Terms of office of shire presidents, 4396.
Justices (Service of Summons) Bill, 4351, 4417.
Land Tax Bill, 2846, 2948, 2949, 2954.
Legal Aid—For pensioners opposing construction of pipeline, 2056.
Legal Profession—Appearance of juniors with Queen's Counsel, 233. Solicitors Guarantee Fund, 1275.
Legal Profession Practice (Amendment) Bill, 825, 1323.
Libraries—State Library: Lighting, 4614; hours of operation, 4614; research workers, 4614.
Liquor Control Act—Charges and convictions, 1910.
Liquor Control (Amendment) Bill, 3953, 4228, 5069, 5070, 5398, 5399.
Magistrates Courts—Shortage of magistrates, 1922. Suggested night courts and traffic courts, 1923. At Moonee Ponds, 2663.
Maintenance (Amendment) Bill, 1567, 1577.
Marketable Securities (Amendment) Bill, 1107, 2339.

Reid, Mr. G. O.—continued.

Methodist Church (Victoria) Property Trust Bill, 824, 1339.
Motor Car Act—Restoration of driving licences, 2626.
Motor Car (Driving Offences) Bill, 3953, 4111, 4118.
Motor Registration Branch — Driving licence testing: At Morwell, 4053; standard of tests, 4104; at Springvale and Dandenong, 4530.
Motor Vehicles—Speed limits for commercial vehicles, 3870. Use of seat belts, 3938, 3952, 4413, 4849. Unsafe loading, 4964.
New Broken Hill Consolidated Limited Bill, 4899.
Parliamentary Superannuation Bill, 4865, 4875.
Poker Machines—Manufacture for use in Victoria, 4529.
INDEX.

Reid, Mr. G. O.—continued.


Police Regulation (Amendment) Bill, 3926, 4350.

Ports and Harbors Branch—Repair facilities at Port Welshpool, 2051, 2299.

Prerogative of Mercy—Committal of woman to gaol for non-payment of fine, 1803.

Presbyterian Church of Australia Bill, 3953, 4057.

Prisons Division — Work centre for first offenders, 4528.


Protection — Convictions, 3060.

Protection of Animals (Rodeos) Bill, 4464, 4542.

Public Service—Alleged receipt of secret commissions, 613, 1562. Alleged gifts by Magna group of companies, 3952.


Public Trustee (Amendment) Bill, 4530, 4628, 5330.

Pyramid Selling — Golden Products (Aust.) Pty. Ltd., 4782.

Raffles—Fund raising by junior sporting clubs, 602.

Rent Control — Investigations by Rental Control Bureau, 802. Controlled rent properties, 802. Cases heard by Fair Rents Board, 803. Activities of Metropolitan Fair Rents Board and Rental Investigation Bureau, 3939.

Reptiles — Control of sales, 4614.

Restrictive Trade Practices—By manufacturers, 610.

Road Safety and Traffic Authority — Traffic signals for Purnell Road–Princes Highway intersection, Geelong, 3938. Investigation into use of seat belts, 3952. Accidents at intersection of Plenty and Settlement roads, Bundoora, 4274. Traffic signals for intersection of Aberdeen Street and Shannon Avenue, Geelong West, 4306.

Rodeos—Cruelty to animals, 4734.

Securities Industry (Amendment) Bill, 919, 1178, 2947, 3616.

Sheriff's Office—Shortage in funds, 4859, 5154, 5155.

Stamps Bill, 826, 1331.

Stamps (Credit Business) Bill, 5061, 5062, 5063.

Stamps (Receipt Duty Abolition) Bill, 1327.


Stipendiary Magistrates—Travel in police vehicles, 3950.

Subordinate Legislation (Powers) Bill, 4688, 4753.

Summary Offences (Trespassers) Bill, 3582, 3583.

Supply (July to September 1971) Bill, 4687.


Totalizator Agency Board—Betting on football matches, 3938.

Transfer of Land (Duplicate Certificates) Bill, 3832, 3844.

Trustee Companies (Equity Trustees) Bill, 4111, 4227.

Trustee Companies (Perpetual Trustees Australia Limited) Bill, 492, 496.

Victoria Institute of Colleges—Vacancies on council, 4542, 4782, 4783, 4784.

Victorian Railways — McIntyre Road bridge, Sunshine North, 5240.

Ways and Means, Committee of, 3442, 4687.

Week-end Gaol Sentences—New South Wales system, 4312.

Western Spruce Disaster — Prosecutions, 4054, 4206.

Youth Organizations — Financial assistance in Sunshine area, 3871.

---

Rental Investigation Bureau—Rent control, 237, 1233, (qn.) 3939. Cases investigated, (qn.) 802, 3396. (See also “Metropolitan Fair Rents Board.”)

Reptiles—Control of sales, (qn.) 4614.


Revocation and Excision of Crown Reservations Bill — Appropriation resolution, 1017; introduction and first reading, 1017; second reading, 1181, 1589; remaining stages, 1590.
River Entrance Docks Railway Construction Bill—Introduction and first reading, 492; second reading, 497, 1316; Committee, 1319; remaining stages, 1320.

River Improvement (Amendment) Bill—Introduction and first reading, 145; second reading, 205, 542; remaining stages, 543.

Road Safety. (See "Motor Car (Safety) Bill," "Motor Vehicles — Safety," "Road Safety Committee" and "Road Safety and Traffic Authority."


Road Safety and Traffic Authority—Pedestrian lights for Murray Road, East Preston, (qn.) 3888. Traffic lights at Corio, (qn.) 3988. Control of Bundoora intersection, 4274. Traffic lights for Geelong West intersection, (qn.) 4306. Road approaches to Balmoral railway bridge, (qn.) 4954. (See also "Traffic Commission."


Road Tax—Revenue, (qn.) 3938. (See also "Motor Car (Fees) Bill" and "Roads (Special Projects) Fund."

Road Traffic. (See "Motor Vehicles—Traffic Regulation" and "Police Department—Traffic Regulation."

Road Traffic (Amendment) Bill — Introduction and first reading, 143; second reading, 183, 431; remaining stages, 435.

Road Traffic (Road Safety and Traffic Authority) Bill—Introduction and first reading, 1567; second reading, 1929, 2589; appropriation resolution, 2598; Committee and remaining stages, 2598. Council amendment dealt with, 3616.

Robinvale — Siting of sewage treatment plant, (qn.) 1102.

Rodeos—Cruelty to animals, (qn.) 4734.

Rosebud Park and Recreation Reserve — Electricity supply, (qn.) 1096.

Ross-Edwards, Mr. Peter (Shepparton).

Agriculture, Department of—Selection of students for Glenormiston Agricultural College, 170.

Alcoholic Drinks—Petitions requesting restriction of sale to licensed premises, 5325.

Ballarat and Bendigo Tramways — Ministerial statement on abandonment, 2457.

Budget for Year 1970–71, 1117.

Budget Papers — Form of presentation, 1119.

Business of the House — Days and hours of meeting, 4272.

Christmas Felicitations, 3760.

Collingburn, Mr. N. S.—Inquiry into death, 4407.

Commonwealth Constitution — Proposed amendment, 839.

Commonwealth Places (Administration of Laws) Bill, 2220.

Constitution Act Amendment (Responsible Ministers) Bill, The, 2487.

County Court (Jurisdiction) Bill, 4355.

Crimes (Amendment) Bill, 440.

Criminal Appeals Bill, 1974, 2350, 3619.

Dairying Industry — Reconstruction scheme, 5320.

Education Department — Capital expenditure on technical schools, 234.

Mooroopna Primary School, 347.

Employers and Employés (Attachment of Wages) Bill, 2322.


Evidence (Registration of Commissioners) Bill, 4130.

Evidence (Scientific Tests) Bill, 442.

Fisheries and Wildlife Branch — Game Management Section: Gaynor’s Swamp, Corop, 231; finance, 1555.

Footwear Regulation Bill, 199, 505.

Grievance Day—Suspension of Standing Order, 2442.

Hire Purchase (Insurance) Bill, 2325.

Hospitals and Charities Commission — Doctors for country hospitals, 3633, 3733. Mooroopna Base Hospital, 4431.

Housing — Shortage, 1120.

Housing Commission — Expenditure on new housing accommodation, 237.
Ross-Edwards, Mr. Peter—continued.

Inquiries — Release of reports to Parliament and press, 3824.
Joint Sitting of Parliament — Vacancies on Council of La Trobe University, 2525. Vacancies on Council of Victoria Institute of Colleges, 4783.
Juries (Compensation) Bill, 1336.
Labour and Industry (Amendment) Bill, 1301.
Land Tax Bill, 2840, 2953.
Legal Profession Practice (Amendment) Bill, 1322.
Local Government (Further Amendment) Bill, 5362.
Maintenance (Amendment) Bill, 2226.
Melbourne Underground Rail Loop Bill, 2092, 2151.
Members — Attendance at deputations to Ministers, 3394. Resignation of Sir Arthur Rylah, 3895.
Motor Car (Amendment) Bill, 426.
Municipalities — Government allocation for services, 1120.
Nursing — Report of inquiry, 397, 484.
Oil and Gas Resources — Revenue, 1117.
Parliamentary Salaries Bill, 3742.
Petition — Restriction of sale of alcoholic drinks to licensed premises, 5325.
Phillip Island — Planning scheme, 1682, 4042.
Points of Order — Relevancy of remarks, 622. Urgency motion on administration of Mental Health Authority, 3906. Scope of debate on appointment of Select Committee to inquire into Teaching Service, 3956.
Police Department — Allegations against police, 319. Use of listening devices, 3526.
Probate Duty Bill, 2669.
Public Trustee (Amendment) Bill, 5236.
Road Traffic (Amendment) Bill, 433.
Securities Industry (Amendment) Bill, 2946.
Social Welfare Bill, 3758.
Speaker, The — Election of the Hon. Vernon Christie, 43.
State Development Bill, 1942, 3109.
State Development, Department of — Expenditure on decentralization, 1120. Inquiry by John Patterson Urban System, 4408, 4736.
Statutory Salaries Bill, 3744.
Strangers — Readmission to gallery, 2719.
Student Demonstrations — Allegations against police, 319.
Summary Offences (Trespassers) Bill, 3557, 3584, 3613.
Supply, 249, 4429.
Teachers Tribunal — Attendance of secondary teacher representative, 2197.
Teaching Service — Proposed Select Committee, 3972.
Teaching Service (Amendment) Bill, 2700.
Teaching Service (Tribunal) Bill, 2237, 2379.
Tomato Processing Industry (Amendment) Bill, 3624.
Transport — Date of inquiry, 110.
Trustee Companies (Equity Trustees) Bill, 4776.
Victoria Institute of Colleges — Vacancy on council, 4783.
Victorian Railways — Finance for Melbourne underground rail loop, 814, 4431.
West Gate Bridge Disaster — Condolences, 1015.
West Gate Bridge Royal Commission Bill, 1016.
Workers Compensation Bill, 3084.

Rossiter, Mr. J. F. (Brighton).
Albert Park Land Bill, 4544.
Australian Natives Association — Hospital benefits for pensioners, 4954.
Boxing — Control and medical supervision, 817, 919.
Breakfast Foods — Inclusion of plastic toys in packets, 1620.
Cemeteries — Mausoleums, 395, 809. Memorials, 908, 2433, 3184, 3524, 3526, 3886, 4103. Memorial Park Cemetery, North
Rossiter, Mr. J. F.—continued.


Cemeteries and Crematoria Association of Victoria, 4103.

Cemeteries (Fawkner Crematorium and Memorial Park) Bill, 4627, 4747, 4907, 4908.


Cigarettes—Ban on advertising, 1175, 5150. Health warning on packets, 3066, 3067, 3068, 3069, 4105.

Clean Air Committee—Recommendations on petrol additives, 2053.

Clean Air Section—Fall-out gauges at Geelong, 1681, 1801.

Coburg Lake—Maintenance, 4039.

Commission of Public Health—Annual reports, 2784. Household pest strips, 2786.

Dental Mechanics—Tasmanian legislation, 4309.

Dentists Bill, 1809.

Detergents—Use of enzymes, 4522, 5155, 5321.


Education—Control of school tuckshops, 2197, 2202.

Family Planning Clinics—Co-ordination of activities, 3951.

Foodstuffs—Pesticide residues, 2781, 3184.


Hairdressers Registration (Amendment) Bill, 825, 926.


Health (Tuberculosis Arrangement) Bill, 4226, 4317.

Hepatitis—Outbreak, 913, 1391, 1467. Administrative responsibility, 1392.

Hospitals and Charities Commission—Cheltenham Home and Hospital for the Aged, 174, 247. Subsidies for inmates of nursing homes, 177. Subsidies for persons awaiting admission to benevolent homes, 394. Hospital finances, 398, 400, 1687, 2786, 3950, 4103, 4313.
Rossiter, Mr. J. F.—continued. 

Rossiter, Mr. J. F.—continued.


Pensioners—Medical treatment, 4863. Free drugs, 4863.

Pesticides—Residue in foodstuffs, 2781, 3184.


Points of Order—Admissibility of questions without notice, 246. Defiance of Chair, 437. Right of member to call, 935. Admissibility of urgency motion on administration of Mental Health Authority, 3903, 3904, 3905. Relevancy of remarks, 3958. Expression objected to, 4748.

Poliomyelitis—Sabin vaccine, 4053. Immunization plans, 4053.


Private Nursing Institutions—Charges, 3952.


Rossiter, Mr. J. F.—continued.

Rubella—Vaccine, 4412.

Rupanyup—Closure of swimming pool, 1682.

Senate Select Committee on Health and Welfare—Evidence from Department of Health officers, 4311. Evidence from Mental Health Authority officers, 4402. “Shandy” Soft Drink—Sale in milk bars, 3896.

Social Services—Commonwealth assistance for the chronically ill, 3885. Spinal Injuries—Number and treatment, 4039.

States Grants (Mental Health Institutions) Act—Grants from Commonwealth to Victoria, 245, 299.

Thalidomide—Compensation for affected children, 108.

Tractors—Accident victims, 4522, 4617.

Turkish Baths—Weight reduction programmes, 5156.

Venereal Disease—Reporting of cases, 1288. Control, 1290.


Victorian Little Athletics Association—Distress of competitors, 4409.


Royal Family—Visit to Victoria, 51, 52.

Royal Historical Society of Victoria—Government grant, 3398.

Royal Park—Proposed golf course, (qn.) 1175.


Rudolph Furniture Company—Employment, (qn.) 1559.

Rural Finance and Settlement Commission—continued.


Rylah, Sir Arthur (Kew).
Abortion Inquiry—Cost, 902. Prosecution of alleged offenders, 1173.
Abortions—Prosecutions, 3060.
Adoptions—Government assistance to private adoption agencies, 1009.
Appropriation Bill, 3441.
Audit (Auditor-General) Bill, 1292, 1300.
Boxing—Control, 817.
Burwood Boys Home—Establishment, accommodation and subsidies, 3061.
Business of the House—Days and hours of meeting, 487, 530. Matters raised on motion for adjournment of sitting, 3731.
Captain Cook Bicentenary Literary Awards—Comments by judges, 1808.
Child Cruelty—Reporting of cases, 1908.
Committee of Public Accounts—Appointment of Mr. Doube to replace Mr. Ross-Edwards, 425.
Commonwealth States Grants (Deserted Wives) Act—Allowable income for unmarried mothers, 2194.
Co-operative Housing Societies—Bank advances, 615.
Consolidated Revenue (Supply—July to September, 1970) Bill, 61, 63.
Consolidated Revenue (Supply—October to December, 1970) Bill, 291.
Counterfeit Notes—Apprehension of counterfeiters, 3068.
Country Fire Authority—Subsidies for equipment, 1387.
Country Fire Authority (Borrowing Powers) Bill, 1299.
Criminal Assaults—Compensation for victims, 1382.

Daylight Saving—Introduction in Victoria, 531.
Death—Sir Wilfrid Kent Hughes, 229.
Distinguished Visitor—The Honorable Dr. Vincent Tabone, Minister for Labour, Employment and Welfare of Malta, 3731.
Estimates—For year 1970-71, 3440.
Family Planning Clinics—Subsidies, 1471.
Firearms—Suggested amnesty, 176. Use by private inquiry agents, 601.
Grievance Day—Suspension of Standing Order, 2440, 2442, 3736.
Homosexual Offences—Prosecutions, 3060.
Horse-racing—Twilight meetings, 400. Country club meetings, 801. Additional racing dates, 1177.
Hospitals and Charities Commission—Hospital finances, 444, 1389.
Housing Commission—Social service for persons evicted, 490.
Inquiries—Release of reports to Parliament and press, 3824.
Insurance—Motor car insurance, 243, 397. Legislative control of insurance companies, 1388.
Joint Select Committee (Road Safety) Bill, 56.
Kangaroos—Shooting in Barmah Forest, 485, 711, 712, 754. Sale of meat as pet food, 711.
Lakes Entrance—Sand bar, 491.
Land—Commonwealth-occupied land, 1470.
Rylah, Sir Arthur—continued.

Law Department—Murder trials and inquests awaiting hearing, 479, 525.
Library Council of Victoria—Report, 609.
Literature—Captain Cook bicentenary literary award, 1910.
Lotteries Gaming and Betting (Amendment) Bill, 143.
Melbourne and Metropolitan Board of Works—Cogub by-pass road, 1169.
Melbourne Underground Rail Loop Bill, 2488.
Members—Disqualification of member of Legislative Council, 229.
Mental Health Authority—Wards of State on waiting lists, 1008.
Mentally Retarded Children—Transfer from Allambie Reception Centre, 2786.
Metropolitan Fire Brigades (Amendment) Bill, 1292.
Moorabbin Airport—Zoning of adjacent land, 246.
Motor Car (Amendment) Bill, 143.
Motor Car (Fees) Bill, 1568.
Motor Car (Safety) Bill, 2310, 2314, 3737.
Motor Car (Traffic Offenders) Act—Points demerit system, 1382.

Rylah, Sir Arthur—continued.

National Gallery of Victoria—Report, 609.
National Museum of Victoria—Closure on Sundays, 3849.
Rylah, Sir Arthur—continued.


Police Regulation (Amendment) Bill, 3832. Pollution — Oil slick off Gippsland coast, 3065.

Poverty—Publication, People in Poverty, 1288.

Prisons Division—Pentridge Gaol: Facilities in watch towers, 307; disturbances, 814; improvements, 814; letters to prisoners, 816; administration, 913; inquiry into “H” Division; number of prisoners, 996; complaints to visiting magistrate, 996; expenditure, 1093; revenue, 1093; strike threat, 1172. Prisoners: Parole, 486, 1806; number of prisoners in gaols, 994; staff, 994, 1093. Expenditure, 994. Revenue, 994. Employment conditions, 1093. Relocation of Fairlea Female Prison, 1562. Differing conditions of employment, 1563. Provision of summer uniforms, 1908.

Prostitution—Prosecutions, 3060.

Public Accounts, Committee of—Appointment of Mr. Doube, 425.

Public Service (Amendment) Bill, 1016.

Public Service Board—Security dossiers, 713.


Racebooks Development Fund—Assistance to dog-racing clubs, 492.

Racing (Amendment) Bill, 2076, 2204.

Registration of Birth Deaths and Marriages (Amendment) Bill, 50.


Road Traffic (Amendment) Bill, 143.

Road Traffic (Road Safety and Traffic Authority) Bill, 1567, 1929.

Science Museum of Victoria—Closure on Sundays, 3849.

Science Museum of Victoria Bill, 1051.

Second-hand Dealers (Charity Collectors) Bill, 492, 2497, 2498.

Social Welfare Bill, 1292, 1437, 1439, 3306, 3307, 3308, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3320, 3756.


State Accident Insurance Office—Profit, 800. Premiums, 800.

State Development—Freight costs of decentralized industry in Seymour, 2999.

State Development Committee—Appointment of Mr. Stephen, 425.

State Insurance Offices—Scope of operations, 1808.

State Lending Library—Closure, 609.


Statute Law Revision Committee—Appointment of Mr. Doyle, 425.

Student Demonstrations — Allegations against police, 322.
Rylah, Sir Arthur—continued.

Subordinate Legislation Committee—
Appointment of Mr. A. W. Taylor, 425.
Summary Offences Act—Charges and convictions for wilful trespass, 2195.
Summary Offences Bill, 650.
Summary Offences (Trespassers) Bill, 825.
Summary Offences (Trespass to Farms) Bill, 721.
Supply, 291.
Totalizator Agency Board—Same day payouts, 45, 2200. Jackpots, 388.
Assistance for dog-racing, 492. Revenue from off-course operations, 2561.
Trotting—Activities of Geelong Trotting Club, 2561.
Tullamarine Freeway—Regulation of traffic, 491. Access from Calder Highway, 1465.
Unmarried Mothers—Effect of Government assistance, 3736.
Ustashi—Allegations of violence, 399.
Victorian Railways—Freight costs of industry in Seymour, 2999.
Victorian Territorial Waters, 245.
Vietnam Moratorium—Charges against social workers, 488.
Ways and Means, Committee of, 291, 3440.
Wedderburn Fire—Compensation, 388.
Week-end Gaol Sentences—New South Wales scheme, 531.
West Gate Bridge Royal Commission—Pamphlet criticizing commission, 1341. Recess, 3187.
Insurance policies, 2662. Claims, 2662. Investigation by Harris committee, 3524.
Workers Compensation Bill, 1107, 1324, 3091.
Workers Compensation Board—Members, 167. Number of cases, 167.
Yugoslav Consulate—Bombing, 1172.
Youth Organizations—Financial assistance, 160.

S.

St. John Ambulance Association—Grants, (qn.) 3520.
Salaries and Wages—National wage decision, (qns.) 3522, 3525, 3731.

Sapfor Timber Mills Pty. Ltd.—Provision of land, (qn.) 3889.


Scaffolding Bill—Introduction and first reading, 4111; second reading, 4118, 4974; appropriation resolution, 4999; Committee, 5000, 5073; remaining stages, 5084. Council amendments dealt with, 5396.

Scanlan, Mr. A. H. (Oakleigh).

Budget for Year 1970-71, 1136.
Democracy—Votes received by Labor Party, 281.
Education—Budget provisions, 1137.
Education Department—Size of classes, 111. Facilities of special service section, 282. Increase in number of special schools, 283. Strike at Maribyrnong High School, 5147.
Electoral—Votes received by Labor Party, 281.
Grievances, 5044.
Kangaroos—Slaughter, 711.
Land Conservation Bill, 625.
Mentally Retarded Children—Provision of day centres, 283. Educational facilities, 284.
Municipalities—Building permits and regulations, 1678.


River Entrance Docks Railway Construction Bill, 1318, 1320.
Social Welfare—Government assistance for private institutions, 284.
State Electricity Commission—Closure of Castlemaine office, 2075.
State Finance—Commonwealth—State financial relations, 1139.
Supply, 281.
Syndicators—Activities in Victoria, 5044.
INDEX.

Scalan, Mr. A. H.—continued.

Teachers Tribunal — Withdrawal of secondary teacher representatives, 1805, 2309.
Teaching Service—Proposed Select Committee, 3984.
Teaching Service (Tribunal) Bill, 2244, 2247, 2704.
Universities—Misbehaviour of students, 604. Establishment of disciplinary committees, 604.
Victoria Institute of Colleges—Finance, 2197.

Science Museum of Victoria—Closure on Sundays, 3848, 3849.
Science Museum of Victoria Bill—Received from Council and first reading, 1051; second reading, 1294, 3627; remaining stages, 3629.

Scout Movement—Government grant, 3397.
Search and Rescue Operations—Establishment of special fund, (qn.) 3897.

Second-hand Dealers (Charity Collectors) Bill—Introduction and first reading, 492; second reading, 1571, 2496; Committee and remaining stages, 2496.

Securities Industry (Amendment) Bill—Introduction and first reading, 919; second reading, 1178, 2944; Committee, 2946; third reading, 2947. Council amendments dealt with, 3616.

Seeds Bill—Received from Council and first reading, 4687; second reading, 5013, 5343; Committee, 5352; third reading, 5356.

Sewerage—Private development, 1157, 1164. Amalgamation of sewerage authorities with water trusts and municipalities, (qn.) 3731. (See also “Melbourne and Metropolitan Board of Works” and “State Rivers and Water Supply Commission.”)

Sewerage Districts (Amendment) Bill—Introduction and first reading, 825; second reading, 926, 1447; appropriation resolution, 1449; Committee, 1449; remaining stages, 1450.

“Shandy” Soft Drink—Sale in Victoria, 3896. (See also “Alcoholic Drinks.”)
Sharebrokers—Imposition of minimum transactions, (qn.) 4517.

Shilton, Mr. L. V. (Midlands).
Address-in-Reply, 514.
Axedale—Community services, 515.
Budget for Year 1970-71, 1219.
Colleges of Advanced Education—Fees, 2666.
County Court (Jurisdiction) Bill, 4355.
Education—School leaving age, 1389.
Ehrenhaus Retail Bottled Liquor Licence Bill, 5071.
Elphinstone—Community services, 516.
Estimates—For year 1970-71, 3379, 3400.
Gas Franchises Bill, 3252.
Geriatrics—Domiciliary care for the aged, 3065.
Grievances, 2565.
Health, Department of—Treatment of asthma, 3951. Provision of pre-school centres, 4673.
Hospital Benefits Associations—Profits, 516.
Hospitals and Charities Commission—Bendigo Home and Hospital for the Aged, 3065. Doctors for Bendigo Base Hospital, 3735, 3950. Finances of hospitals in Midlands electorate, 4671.
Housing Commission—Darby and Joan flats: At Golden Square, 915; design, 3189, 3190. Purchase of homes by deserted wives and low-income earners, 4672. Lone-person units for Bendigo area, 4735. Demolition order on Golden Square house, 5401.
Land Conservation Bill, 617.
Lands Department—Charge for land to Bendigo Tooling Company, 4864.
Shilton, Mr. L. V.—continued.

Local Government (Further Amendment) Bill, 5368, 5369, 5372.
Local Government (Municipalities Assistance Fund) Bill, 4338.
Maldon—Preservation for National Trust, 1221.
Medical Practitioners—Graduates going interstate and overseas, 3734. Shortage in country area, 3735.
Members—Retirement of Mr. Stoneham, 515.
Mental Health Authority—Bendigo Psychiatric Hospital, 5318.
Motor Car (Driving Offences) Bill, 5218.
Motor Car (Safety) Bill, 2799.
Municipalities—Removal of railway bridge in Shire of McIvor, 1221.
National Parks Bill, 3208, 3211.
Pensioners—Pensions for silicosis, 1220.
Government contribution to Pensioners Rental Relief Trust Fund, 3400.
Petition—Maldon—Shelbourne railway, 715.
Police Regulation (Amendment) Bill, 4350.
Pollution—Sewage in Goulburn River, 860, 4671. Suggested national water pollution authority, 2786.
Primary Industry—Long-term loans for farmers, 515.
Probate Duty Bill, 2670.
Public Solicitor—Assistance in divorce cases, 4528.
Road Safety and Traffic Authority—Use of non-skid paint, 1220.
Royal Park—Proposed golf course, 1175.
Seeds Bill, 5344, 5353.
Sewerage Districts (Amendment) Bill, 1447, 1449.
State Development—Financial allocation for development of State, 1220. Freight costs of Seymour industry, 2999. Land for decentralized industry, 4862.
State Electricity Commission—Closure of Castlemaine office, 1562, 1566, 1804, 1925, 2057.

Shilton, Mr. L. V.—continued.

Summary Offences (Trespassers) Bill, 3593.
Superannuation—Payments to Mr. Jamieson of Maldon, 2565; re-employment of Mr. Scutt of Castlemaine, 2566.
Supply, 4670.
Tallarook—By-pass road, 1178.
Totalizator Agency Board—Additional revenue for hospitals, 5154, 5322.
Water (Amendment) Bill, 1613.
Water Supply Works and Services Bill, 2498, 2515, 2518.
Wheat Industry—Sales to China, 4741.

Shop Trading. (See "Labour and Industry, Department of.")

Shrine of Remembrance—Repairs, (qns.) 4614.

Simmonds, Mr. J. L. (Reservoir).

Aircraft Industry—State representations to Commonwealth Government, 4394.
Alcoholic Drinks—Sale, 5326.
Anzac Day—Public holiday, 3939, 4053, 4274. Factories curtailing production, 5036.
Apprenticeship (Amendment) Bill, 1590, 1598, 1599, 1600, 1607, 1608, 1609.
Apprenticeship Commission—Supervision of apprentices, 172.
Boilers and Pressure Vessels Bill, 552, 1612.
Budget for Year 1970–71, 1161.
Commonwealth Industrial Gases Limited—Sales methods, 4098, 4556.
Deaf children—Schools, 903, 1556.
Education—Cost to parents, 1164. Survey of needs, 4626.
Simmonds, Mr. J. L.—continued.

Simmonds, Mr. J. L.—continued.

Scaffolding Regulations - Supervision, 5313.
Sewerage—Private development, 1164.
Social Welfare — Allowances for invalid pensioners, 1161.
Social Welfare Bill, 3293.
Spinal Injuries—Number and treatment, 4038.
State Development Bill, 3136.
State Incremental Payments Scheme — Effect of national wage case decision, 3731.
Summary Offences (Trespassers) Bill, 3586, 3601.
Supply, 4685.
Tractors—Safety devices, 4046. Accidents, 4046, 4522, 4616, 4686. Injured persons: Personal details, 4616; medical treatment, 4616.
Transport—Staggered hours of work, 5156.
Victorian Railways — Reservoir—Epping services, 4210. Ventilation of Harris carriages, 4739.
West Gate Bridge Disaster—Financial assistance for legal representation of unions at Royal Commission, 2051.
Workers Compensation — Boards: Composition, 167; number of cases, 167. Insurance policies, 2662. Claims, 2662.
Awards for building workers, 5312.
Workers Compensation Bill, 3074, 3092.
Work Force — Staggered hours of work, 5156.


Smith, Mr. Aurel (Bellarine).

Alcoholic Drinks—Petition on sale in unlicensed premises, 4413.
Country Fire Authority—Subsidies for equipment, 1386.
Fisheries (Amendment) Bill, 5393.
Geelong Land (Special Grant) Bill, 4129.
Geelong Waterworks and Sewerage (Rates) Bill, 5161.
Petition—On sale of alcoholic drinks in unlicensed premises, 4413.
Protection of Animals (Rodeos) Bill, 5387.
Railway Works and Services Bill, 2680.
Sewerage Districts (Amendment) Bill, 1449.

Smith, Mr. I. W. (Warrnambool).

Child Care—Investigation of finances of institutions, 4048.
Chowilla Dam—Building of Chowilla and Dartmouth dams, 1468, 1469.
Community Welfare Foundation—Government assistance, 5041.
Develop Victoria Council—Report by consultants, 301.
Dartmouth Dam—Negotiations on construction, 535. Building of Chowilla and Dartmouth dams, 1468, 1469.
Earmarks Bill, 3832, 3846, 3998, 3999, 4000.
Geelong Waterworks and Sewerage Trust —Assistance for interest payments, 401, 3368.
Groundwater Act—Administration, 3730.
Hamilton Waterworks Trust—Population and area served, 2665.
Latrobe Valley Outfall Sewer—Condition, 176.
Lotteries Gaming and Betting (Amendment) Bill, 185, 549.
Members—Attendance at deputations, 3391, 3392.
Motor Car (Amendment) Bill, 181.
Motor Car (Safety) Bill, 2811, 2813, 2814.
Municipalities—Social services, 4110.
Police Department—Report by Colonel Sir Eric St. Johnston, 4085, 4088, 4089, 4091, 4092.
Pollution—Proposed environmental control authority, 397. Suggested national water pollution authority, 2786.
Poverty—in inner suburban areas, 5040.
Princess Margaret Rose Caves Reserve Grant for toilet block, 912.
Prisons Division—Prison officers, 3891, 3892. Rates of pay, 3891.
Fairlea Female Prison: Relocation, 3893, 3934, 5154; disturbances, 5150; separate cell confinement, 5151, 5152.
Pentridge Gaol: Maximum security provisions, 3827; staff cuts, 3892; security, 3892; building work, 4310. Girls’ training centre for Bundoora, 4049.
INDEX.

Smith, Mr. Aurel—continued.

Youth Training Centre: Accommodation, 4312; building work, 4312. Work centres for first offenders, 4529.
Protection of Animals (Rodeos) Bill, 5388.
Public Works Committee—Appointment of Mr. McCabe, 3616.
River Improvement (Amendment) Bill, 145, 205.
River Murray Commission—Cost of investigation of salinity in Murray Valley, 2054.
Road Traffic (Amendment) Bill, 183.
Road Traffic (Road Safety and Traffic Authority) Bill, 3616.
Robinvale—Sewage treatment works, 1102.
Second-hand Dealers (Charity Collectors) Bill, 1571.
Sewerage Authorities—Amalgamation with water trusts and municipalities, 3731.
Sewerage Districts (Amendment) Bill, 825, 926, 929, 1449.
Social Welfare—Meetings of Minister with Commonwealth Minister for Social Services, 4528.
Social Welfare Bill, 3297, 3298, 3299, 3201, 3313, 3314, 3320.

Summary Offences Bill, 722, 3739, 3740, 3741.
Summary Offences (Trespassers) Bill, 1724, 3576, 3596, 3606.
Summary Offences (Trespass to Farms) Bill, 724, 1052, 1063, 1054, 3619.
Volcanoes—Preservation of extinct volcanoes, 1467.
Wannon River—Drainage and river improvement, 913, 2668, 2782, 2904.
Water (Amendment) Bill, 1178, 1298.
Water (Further Amendment) Bill, 1568, 1614, 1936, 2715, 2717, 2789, 2792, 2793.
Water Supply Works and Services Bill, 1294, 1429, 2512, 2515, 2518.
Water Trusts—Government assistance, 1386.
Week-end Gaol Sentences, 4405.
Youth Organizations—Financial assistance, 4049. In Brunswick East electorate, 4858.

Snowy Mountains Engineering Corporation (Victoria) Bill—Introduction and first reading, 3953; second reading, 3993, 4132, Committee and remaining stages, 4135.

Social Welfare—continued.


Social Welfare Bill—Introduction and first reading, 1292; second reading, 1473, 3253; appropriation resolution, 3297; Committee, 3297; remaining stages, 3320.

Social Welfare Department—


Finance—Allocations, 510. Loan moneys for buildings, 511. For Girls' Youth Training Centre at Bundoora, (qn.) 4049.


Soil Conservation and Land Utilization (Amendment) Bill—Introduction and first reading, 4531; second reading, 4537, 4901; remaining stages, 4904.

Soldier Settlement Bill—Introduction and first reading, 179; second reading, 209, 556; Committee, 558; remaining stages, 559.

Soldier Settlers—Interest rates, (qn.) 1100. Outside employment, 4555.

South African Cricket Team—Proposed ban, (qns.) 4741, 4745. (See also “Apartheid.”)

Speaker, The—Election of the Hon. Vernon Christie, 42. Presentation to the Governor, 44.
Speaker, The (The Hon. Vernon Christie).

Rulings and Statements of—

Appropriation Bill—Procedural motion at Committee stage, 3441.


Bills Declared Private—Trustee Companies (Perpetual Trustees Australia Limited) Bill, 495; Western Port (Development Control) Bill, 2310; East Melbourne Land Bill, 2483; Municipal Association (Amendment) Bill, 3845; Presbyterian Church of Australia Bill, 4057; Trustee Companies (Equity Trustees) Bill, 4227; Howard Florey Institute of Experimental Physiology and Medicine Bill, 4531; New Broken Hill Consolidated Limited Bill, 4535.

Chairmen of Committees—Election of Sir Edgar Tanner, 54.

Chairmen of Committees, Temporary—Appointment, 54, 59.

Christmas Felicitations, 3760.

Commission to Swear Members, 44.

for appropriation resolution, 1452.

Election as Speaker, 43; presentation to Governor, 44.

Governor's Speech — Address-in-Reply 51, 3529, 3736.

Joint Sittings of Parliament—Council vacancies: Monash University, 404, 635. La Trobe University, 1694, 2489. Victoria Institute of Colleges, 248, 635, 4226, 4782, 4783, 4784.


Ministers—Presence during question time, 715.

Officers of the House—Absence of the Clerk, 4201.


Public Works Committee—Resignation of Mr. Trewin, 404. Resignation of Mr. Scanlan, 3616.

State Development Committee—Resignation of Mr. R. S. L. McDonald, 404.

Stamp Duty—Collection on share transactions, (qn.) 814, (qn.) 901, 1149, 1197, (qn.) 3869. Payment by credit unions, (qn.) 994.

Stamps Act — Interest rates on loans, (qn.) 489, 520. Operations of credit unions, 520.

Stamps Bill—Introduction and first reading, 721; second reading, 826, 1329; appropriation resolution, 1331; Committee, 1331; remaining stages, 1335.

Stamps (Credit Business) Bill—Introduction and first reading, 4866; second reading, 4888, 5060, 5061; appropriation resolution, 5062; Committee and remaining stages, 5063.
Stamps (Receipt Duty Abolition) Bill—Appropriation resolution, 825; introduction and first reading, 825; second reading, 1020, 1327, 1462; remaining stages, 1464.

Standing Orders Committee—Appointed, 55.

State Development—


State Development Bill—Appropriation resolution, 1293; introduction and first reading, 1293; second reading, 1939, 3096; Committee, 3134; remaining stages, 3142.

State Development Committee—Assembly members appointed, 55. Inquiry into Latrobe Valley, (qn.) 303. Resignation of Mr. R. S. L. McDonald, 404. Appointment of Mr. Stephen, 425.

State Electricity Commission—

State Electriciy Commission—continued.


Brown Coal—Supplies in Yallourn-Sale district, (qn.) 1098.


State Finance—Commonwealth—State financial relations, 52, 62, 216, (qn.) 610, 615, 629, 1119, 1121, 1128, 1133, 1139, 1141, 1152, 1156, 1210, 1231, (qn.) 3186, (qn.) 3948, 4419, 4432, 4437, 4443,
State Finance—continued.


State Forests Works and Services Bill—Appropriation resolution, 1293; introduction and first reading, 1294; second reading, 1393, 1729, 1736; Committee, 1737; remaining stages, 1738.

State Insurance Offices—


General—Scope of operations, 1113, 1117, 1215, 1217, (qn.) 1808, (qn.) 3935, 4426, 4445, 4566, 4663, 4678.

Motor Car Insurance Office—Financial results, (qn.) 800. Premiums, (qn.) 800, 1214.


State Relief—Delay in payments, (qn.) 3896.

State Relief Committee—Operations of Herald Hampers for Pensioners Christmas Fund, 2582.

State Rivers and Water Supply Commission—continued.


State Savings Bank of Victoria—Loan for Mount Rouse shire, 651. Loans to municipalities, (qns.) 901, 3732. Competition with private banks, 1114, 1117, 4425, 4445, 4561, 4566, 4663. Estab-
State Savings Bank of Victoria—continued.


States Grants (Mental Health Institutions) Act—Grants to Victoria, (qns.) 245, 299.

States Grants (Nursing Homes) Act—Commonwealth offer re domiciliary care, (qn.) 4203.

State Superannuation Board—Mailing of cheques, (qn.) 1693.

Statute Law Revision Committee—Assembly members appointed, 54. Discharge of Mr. B. J. Evans and appointment of Mr. Doyle, 425. Reports presented: On evidence in committal proceedings and jurisdiction of Magistrates Courts, 3529; on Disposal of Uncollected Goods Act 1961, 4057; on Imperial Acts Application (Repeals) Bill, 4226; on recovery of civil debts, venue, and enforcement of fines in Magistrates Courts, 4965.

Statutes—Consolidation, 271.

Statutory Salaries Bill—Appropriation resolution and first reading, 3743; second reading, 3743; Committee and remaining stages, 3744.

Steel Company of Australia Ltd., Pascoe Vale—Emission of fumes and noise, 4669.

Stephen, Mr. W. F.—continued.

Public Works and Services Bill, 2916.
Seeds Bill, 5349, 5353, 5355, 5356.
Soldier Settlement Bill, 557.
State Development Bill, 3112.
Supply, 277.
Wheat Industry—Quotas, 277.
Wool Industry—Prices for wool, 277.

Stock (Artificial Breeding) (Amendment) Bill—Received from Council and first reading, 3925; second reading, 3995, 5010; remaining stages, 5013.

Stock Diseases Act—Application to western Victoria, (qn.) 397.

Stock Diseases (Amendment) Bill—Received from Council and first reading, 2998; second reading, 3070, 3754; remaining stages, 3756.


Stokes, Mr. R. N. (Evelyn).

Apprenticeship (Amendment) Bill, 1611. Grievances, 2583.
Labour and Industry (Shop Closing) Bill, 932.
Land Conservation Bill, 641, 646.

Melbourne and Metropolitan Board of Works—Acquisition of property in Watsons Creek area, 2583.

Melbourne Underground Rail Loop Bill, 2107.

Mines Department—Licence for quarry at South Morang, 524.

Police Department—Report by Colonel Sir Eric St. Johnston, 4243.

Stock (Artificial Breeding) (Amendment) Bill, 5010.

Rulings and Statements as Acting Chairman of Committees—Debate—Right of member to call, 935. Relevancy of remarks, 936, 938, 939, 940, 3540.

Subordinate Legislation Committee—Assembly members appointed, 55. Discharge of Mr. Broad and appointment of Mr. A. W. Taylor, 425. Scrutiny of municipal by-laws, 3431.

Subordinate Legislation (Powers) Bill—Received from Council and first reading, 4688; second reading, 4753, 5356; remaining stages, 5358.

Suggett, Mr. R. H. (Bentleigh).

Education Department—Confinement leave for teachers, 5150. Strike at Glenroy High School, 5324.

Geriatric Services—Proposed geriatric unit for Bentleigh electorate, 3144.

Parliament House—Acoustics of Legislative Assembly Chamber, 2435. Library steps, 4313.

Points of Order—Amendments to Teaching Service (Tribunal) Bill, 2685. Relevancy of remarks, 3958.

Railway Works and Services Bill, 2681.

Teachers Tribunal—Salary claim by Victorian Teachers Union, 2307. Salaries of members, 2667.

Teaching Service—Proposed Select Committee, 3988.

Teaching Service (Tribunal) Bill, 2368, 2696.

Summary Offences Act—Conviictions for willful trespass, (qns.) 2194, 5146.

Summary Offences Bill—Received from Council and first reading, 650; second reading, 722, 3737; Committee and remaining stages, 3739.

Summary Offences (Trespassers) Bill—Introduction and first reading, 825; second reading, 1724, (qns.) 3522; second reading debate, 3542; Committee, 3596; remaining stages, 3615.

Summary Offences (Trespass to Farms) Bill—Introduction and first reading, 721; second reading, 724, 950; Committee, 959, 1052; remaining stages, 1057. Council amendment dealt with, 3619.

Superannuation—Payment to Mr. Jamieson of Maldon, 2565. Employment of Mr. Schutt of Castlemaine, 2566. Portability of schemes, (qns.) 3065.

Superannuation (Amendment) Bill—Appropriation resolution, 2210; introduction and first reading, 2210; second reading, 2220, 2824; Committee, 2826; remaining stages, 2827.

Superannuation (Railway Service) Bill—Appropriation resolution, 4464; introduction and first reading, 4464; second reading, 4541, 4635; Committee and remaining stages, 4637.

Superannuation (Transitional Provisions) Bill—Introduction and first reading, 4965; second reading, 4966; remaining stages, 4967.


Supply (July to September 1971) Bill—All stages, 4687.

Supply (Supplementary Estimates) Bill—All stages, 5183.

Survey Co-ordination (Place Names) Bill—Introduction and first reading, 4628; second reading, 4749, 4904; remaining stages, 4905.


Syndicators—Activities in Victoria, 5044.


T.

Tanner, Sir Edgar (Caulfield).

Adjournment Motion—Ringing of special bell, 754.

Boxing—Establishment of boxing commission, 2573.

Chairman of Committees—Election as, 54, 56.

Grievances, 2573.

State Development Bill, 3128.

(See also “Chairman of Committees, The (Sir Edgar Tanner).”)


INDEX.

Taxation—

Capital Gains Tax—Suggested imposition, 1216.

Commonwealth Pay-roll Tax—1970-71

General—Suggested tax on industry turnover, 3386. Increase in State taxes, 4430. Need for growth tax, 4436, 4561. (See also "Stamps (Credit Business) Bill" and "Stamps Bill").

Land Tax—Incidence, 252, 1200. Abolition, 1189. (See also "Land Tax Bill").

Probate Duty—Abolition on rural properties, 3430, 4638. Proclamation of Probate Duty Act, (qns.) 4106, 4960. (See also "Probate Duty Bill").


Road Tax—Revenue, (qn.) 3938. (See also "Motor Car (Fees) Bill" and "Roads (Special Projects) Fund").

Stamp Duty—Collection on share transactions, (qn.) 814, (qns.) 901, 1149, (qn.) 3869. Payment by credit unions, (qn.) 994.

Uniform Taxation—System, 223, 1143.

Taylor, Mr. A. W. (Balwyn).

Environment Protection Bill, 2959.

Hospitals—Finances, 4316.

Members—Correct method of address, 714.

Speaker, The—Election of the Hon. Vernon Christie, 42.

Statements and Rulings as Acting Chairman of Committees—

Debate—Relevancy of remarks, 3740, 3741.

Statements and Rulings as Acting Speaker—

Bill Declared Private: Ehrenhaus Retail Bottled Liquor Licence Bill, 5071.

Taylor, Mr. J. A.—continued.

Gippsland—Development, 51.

Gippsland Lakes—Pollution, 4569.

Pollution—Establishment of chair of environmental studies at University of Melbourne, 52. Sale water supply, 610, 612. Oil slick off Gippsland coast, 3067. Of Gippsland Lakes, 4569.

Sale—Pollution of water supply, 610, 612.

Social Welfare—Proposed Ministry, 52.

Social Welfare Bill, 3288.

State Development Bill, 3117.

State Finance—Commonwealth-State financial relations, 52.

Summary Offences (Trespass to Farms) Bill, 953.

Universities—Chair of environmental studies, 52. Establishment of fourth university, 52, 246.

Water Supply Works and Services Bill, 2503, 2518.

Teacher Housing Authority—Establishment, (qn.) 3898.

Teacher Housing Bill—Introduction and first reading, 1393; second reading, 1568, 2727; appropriation resolution, 2730; Committee, 2730; remaining stages, 2737. Council amendments dealt with, 3617.


Teaching Service (Amendment) Bill—Introduction and first reading, 1567; second reading, 1587.

Teaching Service (Tribunal) Bill—Introduction and first reading, 1014; second reading, 1107, 2227, 2360; appropriation resolution, 2373; Committee, 2373, 2682; remaining stages, 2715.

Templeton, Mr. T. W. (Mentone).

Poliomyelitis—Sabine vaccine, 4053. Immunization plans, 4053.
Terracotta Textural Brick Co., Morwell—
Activities, (qn.) 1560.

Thalidomide—Compensation for parents of
affected children, (qn.) 107.

Thompson, Mr. L. H. S. (Malvern).
Australian Education Council—Submis-
sions by Education Department, 302,
Bock, Looking Ahead in Education, 3899.
Colleges of Advanced Education—Salaries,
2310. Fees, 2666.
Commonwealth Constitution—Proposed
amendment, 842.
Deaf, The—Schools for, 1556.
Education—Migrant education, 50. Higher
school certificate examination, 236. In-
ternal and external examinations, 294.
Government expenditure, 1095. Scholars,
3095. School leaving age, 1389.
Tertiary education for matriculants,
1566. Physical education courses and
teachers, 2045. Commonwealth financial
assistance, 3897, 3898. Survey of needs,
3899, 4626. Australian Broadcasting
Commission school television pro-
grammes, 4209. State submission to
Commonwealth, 4411. Suggested co-
ordinating committee on tertiary educa-
tion, 4623. Pre-school education
facilities, 4625.

Education Department—
Central and Consolidated Schools—
Central schools: At Moonee Ponds,
105; at Footscray, 403; phasing out,
403, 4664. Cohuna Consolidated
School, 4735.

General—Injury and insurance of children,
48, 3146, 4955. Education of migrant
children, 50, 174, 399, 1563, 3063, 3064,
3067, 3393, 4002, 4307, 4963. Vietnam
moratorium march, 174, 398. Travelling
allowances for pupils, 178. Grants to
schools, 228, 244. Temporary buildings
for secondary schools, 234. Car parking
at schools, 306, 805. Remedial teaching
centre for western suburbs, 390. Free
requisites for pupils in Midlands and
Bendigo electorates, 391. Portable
class-rooms, 481, 2432, 2906, 3881, 4518.
Temporary accommodation, 481.
Clerical assistance at schools, 614.
Replacement of damaged science
equipment, 708. Meetings for dis-
semination of information by Minister,
710, 914. Subsidies to municipalities,
803. Site for primary school at Debney
Meadows estate, 804. Temporary
accommodation in Brunswick West
electorate, 804. Secondary school
endowment funds, 804. Sites for new
schools in Eltham area, 805. Special
school for Dandenong area, 903.
Attendance at and waiting lists for
special schools, 903. Court and tribunal
powers on acquisition of school sites,
903. Glendonald school for the deaf,
903. Internal examinations at high
schools, 904. Vacant land in Carlton,
905. Transport of pupils in North
Carlton, 905. Acquisition of land, 1001.
Secondary school advisory committees,
1012. Government expenditure, 1085.
Scholars: Numbers, 1095; costs, 1095.
School bus service in Portland district,
1096. Removal of rubbish from schools,
1104. Employment of maintenance
staff, 1176. Maintenance and requisite
allowances for pupils, 1176, 1391, 2435.
Conditions at inner-suburban schools,
1280. Employment of school children
during holidays, 1386. School libraries,
1389, 4861. Road safety instruction in
schools, 1691. Power of headmasters to
suspend teachers, 1692. Annual reports,
1804. Property at North Fitzroy, 1912.
Property in Verdon Street, Williamstown,
2046, 4308. School medical services,
2197. Building contracts for technical
schools, 2199. School tuck-
shops, 2201. Control of school build-
ings and facilities, 2201. Visits to
schools by Minister, 2255. Closure of
Bowen Street, Moonee Ponds,
2299. Construction of class-rooms,
2309. Alcohol on school premises,
2438, 2439, 2562. Compensation for injured
employees, 2522. Expenditure on school
work in Benalla electorate, 2562.
Priorities of Residence Selection
Committee, 2668. Residence for
Watchem Primary School, 2668.
Maintenance and requisite allowances for
pupils in Brunswick East electorate,
2778, 3395. Colliwwood Education
Centre, 3064. School buses in Greens-
borough electorate, 3069. Visual aid
classes, 3146. Municipal sporting facili-
ties for schools, 3189. Financial needs,
3389. Survey of needs for presentation
to Commonwealth, 3390. School camp
at Kiewa, 3391. Teaching of retarded
children, 3393. Cooling of schools,
3527. Language skills courses, 3529.
Schools on Department of the Army
land, 3732. Pamphlet, Education 71.
INDEX.

Thompson, Mr. L. H. S.—continued.

3826, 4525. Cost of portable class-
rooms, 3880. Grant by Myer 
Foundation, 3828. Profit on school 
books, 3882. Effect of Govern-
ment economies, 3882, 4055. School 
composite fees, 3897. Land at Herne 
Hill and Manifold Heights, 3941. Insur-
ance cover for schools, 4101. Quality 
of education, 4154. Australian Broad-
casting Commission school television 
programmes, 4209. Decentralization 
of department, 4219. Montague Special 
School, 4360. Psychology and Guidance 
Branch interpreters, 4397. Saturday 
Schools, 4397. Land at Navarre Road, St. Arnaud, 4399. 
School bus service rules, 4527. Intro-
duction of metric system, 4626. Trans-
fer of land at Bright to Housing Com-
misson, 4955. School cadet units, 4962, 
5041. School facilities at housing pro-
jects, 5037. Personal information about 
staff members, 5037. Television pro-
gramme on mercury pollution of 
streams, 5152. Special school for 
Watsonia, 5316.

High Schools—For Thomastown, 50, 602. 
In Brunswick East electorate, 167, 388, 
389, 1383, 2778, 3727. Keilor Heights, 169. For Broadmeadows, 179. For 
Diamond Creek, 243. Greensborough, 
243. University, 293, 3526. Brunswick, 
293, 915, 3882. Internal and external 
leaving certificate examinations, 294, 
904. In Eltham shire, 296. For Noble 
Westall, 399. Matthew Flinders Girls, 
Geelong, 481, 4206. Sunshine West, 
603. Extensions in country areas, 610. 
Seymour, 612. Richmond Girls, 651. 
Preston North East, 803. Doveton, 902, 
4520. For Deer Park, 904, 999. For 
Hamilton, 904, 4107. Fitzroy, 905. 
Composite and subject fees, 1001. Lib-
raries, 1096. Balmoral, 1105, 2436, 
2438. Coburg, 1106. Maribyrnong, 1169, 
5039, 5148, 5155. Maintenance and re-
quise allowances for pupils, 1276. For 
Glenroy, 1288. Establishment of senior 
high schools, 1290. School assembly 
 halls, 1390. Braybrook, 1466, 3879. 
Expenditure, 1679. For Moonee Ponds 
electorate, 1679. Hadfield, 1687, 1693, 
1912, 5240. Buckley Park, 1691. Pre-
Williamstown, 2046. Watsonia, 2300. 

Bairnsdale, 2300, 3391. St. Albans, 
In Altona, Broadmeadows, Essendon, 
Footscray and Sunshine inspectorates, 
Greenwood, 2562, 3942, 4207. South 
Melbourne, 2779, 4864. Newlands, 
3185. Northcote, 3390. At Watsonia 
Army camp, 3521. For Coburg-
Brunswick—Carlton area, 3726, 4105. 
Moreland, 3727. Boort, 3727. In 
Greensborough electorate, 3727. Co-
education in Footscray area, 3732. 
In Preston electorate, 3821. Mel-
bourne, 3826. North Geelong, 3880. 
Montmorency, 3942, 4208, 4410. New 
Australian students in Brunswick East 
electorate, 4036. Fire-fighting equip-
ment, 4037. Pakenham, 4107, 4313. 
Glenroy, 4155, 4274, 4526, 4956, 5037, 
5324. Eltham, 4225, 4361. Hurstbridge, 
4517. Open class-room techniques, 
4396. La Trobe, 4518. Doncaster, 
4518. Hamilton, 4519. Co-educational 
schools, 4863. Murtoa, 4596. Heywood, 
5147. Restriction on number of teaching 
periods, 5153.

Primary Schools—Sick bays and rest 
rooms, 112. For Carlton, 167, 4399. 
Preston, 168, 526. Culloden Street, 
West Brunswick, 168, 293. Daly Street, 
Brunswick West, 168, 4517. Pascoe 
Vale South, 293, 4208. Connewirreeco, 
296, 4308. Keon Park, 296. For 
Yallambie estate, Lower Plenty, 296. 
Montmorency, 302. In Brunswick 
East electorate, 388, 389, 2047, 
2778. Albion North, 391. Pearson 
Street, North Brunswick, 480, 3881. 
Diamond Creek East, 481, 4099, 4207, 
4518. In Greensborough electorate, 
482, 2908. Hamilton No. 4847, 527, 
1002, 2779. St. Albans Heights, 603. 
Preston North-east, 613. For Campbell-
field Heights, 614. In Brunswick West 
electorate, 701, 804. Coburg West, 701. 
Bell Park, 702. Cavendish, 703. For 
Debney Meadows estate, 804. Avon-
dale Heights, 804, 1983, 2255. Ardeer, 
904. St. Albans South, 904. Transport 
of pupils in Carlton North, 905. 
Coleraine, 915. Princes Hill, 918. For 
Deer Park electorate, 999. Deer Park, 
1000, 1913. Pupils and teachers, 1000. 
Keilor Heights, 1001, 2300. Deer Park 
West, 1001, 3941. Carlton North, 1001,
Thompson, Mr. L. H. S.—continued.


Teacher Training—At proposed fourth university, 110. Teachers' colleges: For western suburbs, 168, 247, 1341, 3734; at Ballarat, 400; staff conditions, 2198; at Geelong, 2778; extension, 3390; staff resignations, 3394; autonomy, 3523, 3735; staffing, 3524; library facilities, 3880; entry standards, 4206. Student teacher agreements, 614, 701, 4398. Purchase of materials for courses, 1001. Training schools in western suburbs, 1278, 3069, 5325. Pamphlet issued by National Union of Australian University Students, 2668. At La Trobe University, 3367. Unsuccessful applicants for studentships, 3880. Agreement with
Thompson, Mr. L. H. S.—continued.


Thompson, Mr. L. H. S.—continued.

Health, Department of—Pre-school education facilities, 4625.

Matriculation Examinations—Repeating of examinations, 236.

Methodist Church (Victoria) Property Trust Bill, 924.

Metric System—Introduction into schools, 4626.

Minister of Education—Meetings to disseminate information, 914, 2198.

Monash University—External study courses, 1563.


Points of Order—Amendments to Teaching Service (Tribunal) Bill, 2685. Relevancy of remarks, 2704. Statement in debate, 2710.

Preston Institute of Technology—Acquisition of land, 4400. Building operations, 4400.

Public Works Department—Tenders for Matthew Flinders Girls High School, Geelong, 4206.

Royal Melbourne Institute of Technology—Salaries, 3146.

Science Museum of Victoria Bill, 1294.

Teacher Housing Authority—Establishment, 3898.

Teacher Housing Bill, 1393, 1568, 2730, 2732, 2733, 2734, 2736, 3617, 3618.


Teaching Service—Proposed Select Committee, 3963. Judicial inquiry, 4406, 4409, 4410, 4744.

Teaching Service (Amendment) Bill, 1567, 1587.

Teaching Service (Tribunal) Bill, 1014, 1107, 1109, 2373, 2376, 2379, 2380, 2692.

Transport Regulation Board—Transport facilities in Greensborough electorate, 1778.

Universities—Physical education course at University of Melbourne, 48. Quota systems, 236. Enrolments, 236, 4961. Establishment of fourth university, 246, 705, 1680, 2439, 4735, 5319, 5322.
Thompson, Mr. L. H. S.—continued.


Victoria Institute of Colleges—Finance, 2197. Preston Institute of Technology, 4400. Salaries of academic staff, 4520, 4624, 5040, 5041. Budget allowance for salary increases, 4624.

Victoria Institute of Colleges (Amendment) Bill, 4226, 4322.

Victorian Universities and Schools Examination Board—Higher school certificate, 1012.

Tidy House Services—Commissions, 1618.

Time-Life International—Sales activities, 4650.

Tomato Processing Industry (Amendment) Bill—Received from Council and first reading, 2360; second reading, 2443, 3623; remaining stages, 3624.


Town and Country Planning (Amendment) Bill—Received from Council and first reading, 5179; second reading, 5334; Committee, 5340; remaining stages, 5543.


Trade Agencies—Establishment in overseas centres, (qns.) 4525, 4561.

Traffic Commission—Non-skid road marking paints, (qns.) 231, 1220. School crossing at Main Street, Diamond Creek, (qns.) 245. Warning signal devices for Shire of Diamond Valley, 253. Warning signs of traffic hazards, (qns.) 602, 1382. Subsidies paid to municipalities, (qns.) 795, 1212. Staff, 1199. Finance for traffic lights in City of Geelong West, (qns.) 1555. (See also “Road Safety and Traffic Authority.”)


Transfer of Land (Duplicate Certificates) Bill—Introduction and first reading, 3832; second reading, 3997; remaining stages, 3997.

Transport. (See “Public Transport.”)

Transport, Ministry of—Government directive on services and personnel, (qns.) 4041.


Treasury—Government directive on services and personnel, (qns.) 3870, 4034.

Trethewey, Mr. R. H. (Bendigo).

Alcoholic Drinks—Petitions requesting restriction of sale to licensed premises, 5157, 5325.

Ballarat and Bendigo Tramways—Proposed abandonment: Ministerial statement, 2459, 2460; petition, 2564.
Trewethen, Mr. R. H.—continued.

Building Societies (Amendment) Bill, 4239, 4242.

Petitions — Opposing abandonment of tramway services in Ballarat and Bendigo, 2564. Requesting restriction of sale of alcoholic drinks to licensed premises, 5157, 5325.

State Development Bill, 3120.

Victorian Railways—Sunday services to Bendigo, 4524.

Workers Compensation Bill, 3076.

Trewin, Mr. T. C. (Benalla).

Agriculture—Diversification, 286.

Apprenticeship (Amendment) Bill, 1592.

Barley Marketing Bill, 5366.

Budget for Year 1970-71, 1185.

Civil Aviation (Carriers' Liability) Bill, 346.

Country Fire Authority (Borrowing Powers) Bill, 1397.

Country Roads (Amendment) Bill, 5384.

Dog Bill, 3750, 3753.

East Melbourne Land Bill, 2483, 2485.


Environment Protection Bill, 2975, 2982, 2992, 2996.

Farm Water Storages—Financial assistance, 2908, 3059.

Fertilizers and Stock Foods (Labelling) Bill, 3745.

Forests (Bowater-Scott Agreement) Bill, 4771.

Grievances, 2568.

Incinerators—At ports and airfields, 5317.

Labour and Industry (Amendment) Bill, 1753.

Labour and Industry (Shop Closing) Bill, 1417.

Land (Amendment) Bill, 1451.

Land Tax—Abolition, 1189.

Lotteries Gaming and Betting (Amendment) Bill, 547.


Metropolitan Fire Brigades (Amendment) Bill, 1945, 1950.

Trewin, Mr. T. C.—continued.


Motor Car (Driving Offences) Bill, 5222.

Motor Car (Safety) Bill, 2812, 2815.

Petrol—Price, 1188.

Points of Order—Statement in debate, 1479, 1480.


Probate Duty Act—Proclamation, 4106.

Public Transport—Submissions to inquiry, 2568.

Public Works and Services Bill, 2933.

Public Works Department—Decentralization of administration, 1188.

River Entrance Docks Railway Construction Bill, 1317.

Road Traffic (Amendment) Bill, 433.

Road Traffic (Road Safety and Traffic Authority) Bill, 2596, 2609.


Seeds Bill, 5345, 5353, 5354.

State Development—Redistribution of population, 287. Attraction of secondary industry to country areas, 287, 1188.

State Development Bill, 3132, 3142.

State Finance—Abolition of land tax, 1189.


Stock Diseases (Amendment) Bill, 3754.

Summary Offences (Trespass to Farms) Bill, 952, 1052, 1053, 1054, 1055, 1056.

Superannuation (Railway Service) Bill, 4636.

Supply, 286.

Teacher Housing Bill, 2731, 2733.

Teaching Service—Judicial inquiry, 4626.

Tractors—Safety regulations, 4221.

Transport Inquiry—Closing date for submissions, 3185.

Vermin and Noxious Weeds (Amendment) Bill, 1740.

Victorian Inland Meat Authority (Amendment) Bill, 1312.

Trewin, Mr. T. C.—continued.

Water Supply Works and Services Bill, 2508.
Weights and Measures (Amendment) Bill, Bill, 2791.
Wheat Marketing (Amendment) Bill, 3530, 3536.
Wheat Marketing (Special Quotas) Bill, 68.
Wool Industry — Export of Merino rams, 1186.
Youth Welfare—Government contribution for recreational facilities, 1189.

Trezise, Mr. N. B. (Geelong North).

Cigarettes—Ban on advertising, 815, 1174.
Civil Aviation (Carriers' Liability) Bill, 341, 346.
Clean Air Section — Fall-out gauges at Geelong, 1681, 1801.
Companies Act — Investigation of motor vehicle insurance companies, 233.
Daylight Saving—Introduction in Victoria, 531.
Dog-racing — Provision of additional facilities, 2201. Establishment of racecourses development fund, 491, 2789.
Door-to-door Sales — Complaint by Aborigines Advancement League, Geelong, 3061. Contributions to charity, 3525.
Electoral—Mobile polling booths, 4862.
Environment Protection Bill, 2971.
Gas and Fuel Corporation—Concessions for pensioners, 4832. Domestic tariffs, 5316.
Gas and Fuel Corporation (Geelong Gas) Bill, 4760.
Gas, Natural—Sale to New South Wales, 4055. Use in Victoria, 4055. Price to consumers, 4625.
Geelong Art Gallery—Capital grant, 4035.
Geelong Harbor Trust—Disposal of polluted grain, 2782.
Geelong Land (Special Grant) Bill, 4128.
Geelong Waterworks and Sewerage (Rates) Bill, 5158.
Geelong Waterworks and Sewerage Trust—Payment of interest, 401, 3368. Finances, 4153.
Geriatric Services—Dental clinics for elderly people, 254.
Grievances, 2569.
Health, Department of—Screening of film on drugs at Geelong West, 1466. Immunization programme subsidies, 4209. X-ray services in Geelong area, 4210. School dental services, 4308.
Horse-racing—Twilight meetings, 399. Industrial dispute, 1472.
Housing Commission—Geelong area : Corio shopping complex, 527, 3883; applications for purchase and rental of homes, 905; accommodation for deserted wives and lone persons, 905; flat construction, 905; development plans, 905, 2433; maintenance programme at Norlane, 2780; number of units planned, 2780; rental homes at Norlane, 4851; homes completed, 4852. Rebated rentals, 905. Units in City of
Melbourne, 1801. Low rental homes for pensioners, 2434. Increase in pensioner rentals, 2626.

Insurance—Motor vehicle insurance companies, 111, 233.

Labour and Industry, Department of—Retail shop trading hours, 813.

Lotteries Gaming and Betting (Amendment) Bill, 546.

Meat Industry—Price of mutton and lamb, 2054.


Melbourne Cricket Ground—Toilet facilities, 533, 705.

Melbourne Underground Rail Loop—Finance, 3952.

Melbourne Underground Rail Loop Bill, 2083, 2143, 2147, 2148, 2149, 2150, 2151.


Motor Registration Branch—Issue of renewal notices, 2194.

Motor Vehicles—Compulsory wearing of seat belts, 2196.


Pensioners—Concessions: Interstate rail fares, 113, 4041; fares on privately-owned buses, 395, 1290, 4733; municipal rates, 3059; tariffs from Gas and Fuel Corporation, 4852.


Price Control—Suggested introduction, 1389, 3900, 4679.

Prisons Division—Work centres for first offenders, 4527, 4529.


Public Works Department—Bell Park Technical School: Construction, 3890; tenders, 4309. Work at North Geelong High School, 4048.

Racecourses Development Fund—Assistance to dog-racing clubs, 491.

Racing (Amendment) Bill, 3214, 3224.

Railway Lands Bill, 2225.

Railway Works and Services Bill, 2670.

Roads—Widening of highways radiating from Geelong, 2781. Geelong by-pass road, 4042.

Road Safety—Inspection of road bridges, 491.

Road Safety and Traffic Authority—Applications for assistance by City of Geelong West, 1555. Traffic signals for Purnell Road, Princes Highway, 3938. Traffic signals for intersection of Aberdeen Street and Shannon Avenue, Geelong West, 4306.

State Electricity Commission—Tariffs: For industry, 1097, 1281; for householders, 1097, 5316; in Bendigo and Ballarat, 1281.

State Finance—Commonwealth—State financial relations, 4962.

State Insurance Offices—Scope of operations, 1808, 4678.

Summary Offences (Trespass to Farms) Bill, 950.

Superannuation (Railway Service) Bill, 4635.

Supply, 255, 4675.


Trezise, Mr. N. B.—continued.


Trotting—Activities of Geelong Trotting Club, 2561.

Turkish Baths—Weight reduction programmes, 5156.

Used Car Sales, 711.


Volcanoes—Preservation of extinct volcanoes, 1467.

Wool Industry—Sales at Geelong and Portland, 4359.

X-ray Services—Visits of units to Geelong area, 4210.

Trotting—Geelong Trotting Club, (qn.) 2561.

Trustee Companies (Equity Trustees) Bill—Introduction and first reading, 4111; declared a private Bill, 4227; motion to treat as public Bill agreed to, 4227; second reading, 4227, 4775; remaining stages, 4777.

Trustee Companies (Perpetual Trustees Australia Limited) Bill—Introduction and first reading, 492; declared a private Bill, 495; motion to treat as public Bill agreed to, 496; second reading, 496, 744; remaining stages, 744.

Turkish Baths—Control of operations, (qn.) 5156.

Turnbull, Mr. Campbell (Brunswick West).

Aboriginal Lands Bill, 1772.

Abortion—Law reform, 2051, 4530.

Appeal Costs Fund Bill, 4756.

Apprenticeship (Amendment) Bill, 1600.

Ballarat and Bendigo Tramways—Ministerial statement on abandonment, 2477.

Budget for Year 1970–71, 1190.

Budget Papers—Form of presentation, 1192.

Coal Mines (Pensions Increase) Bill, 949.

Commonwealth Constitution—Proposed amendment, 856.

Commonwealth Industrial Court—Union representation, 2052.

Country Roads Board—Reservation of land in Brunswick area, 812.

County Court (Jurisdiction) Bill, 4351, 4775.

Crimes (Amendment) Bill, 439, 535, 538.

Criminal Appeals Bill, 1971, 2341, 2344, 2356, 2357, 2358, 2359, 3618.

Crown Proceedings (Forfeited Recognisances) Bill, 5334.

Education—Pre-school education, 1190. University places for matriculants, 1566. Physical education courses and teachers, 2045.

Education Department—Temporary accommodation, 46, 233, 1194. Fire escapes at schools, 113. Daly Street, West Brunswick, Primary School, 168, 256, 4517. Students repeating matriculation examination, 236. Pascoe Vale Primary School, 257. Pascoe Vale South Primary School, 292, 4208. Culloden Street, West Brunswick, Primary School, 293. University High School, 293. Brunswick High School, 293, 915, 1194, 2881. High school internal and external
INDEX.

Turnbull, Mr. Campbell—continued.


Employers and Employés (Attachment of Wages) Bill, 2322.

Environment Protection Bill, 2964.

Evidence (Registration of Commissioners) Bill, 4129, 4891, 4892.

Evidence (Scientific Tests) Bill, 441, 727.

Government Departments and Instrumentalities—Male and female officers, 4100.

Grievances, 2584, 2585.

Health, Department of—Knackeries, 2590.

Housing Commission—High-rise flats in Wilson Street, Brunswick, 912, 1002.

Imperial Acts Application (Repeals) Bill, 333, 5233, 5356.

Judges Pensions (Amendment) Bill, 206.

Juries (Compensation) Bill, 925, 1335.

Justices (Bail and Appeals) Bill, 2489.

Justices (Service of Summonses) Bill, 5009.

Labour and Industry (Shop Closing) Bill, 937, 942, 1415.

Land Conservation Council—Appointment, 258.

Land Tax Bill, 2953, 2954.


Legal Profession—Solicitors Guarantee Fund, 1274.

Legal Profession Practice (Amendment) Bill, 1321, 1323, 1324.

Local Authorities Superannuation (Disability Benefits) (Commencement) Bill, 4969.

Magistrates Courts—Suggested night courts, 1923.

Maintenance (Amendment) Bill, 2225.

Medical Practitioners Bill, 2620.

Melbourne and Metropolitan Board of Works—Pedestrian over-pass for Coonans Road, Pascoe Vale South, 258, 393. Freeway west of Melbourne-Coburg railway line, 993. Rate increases, 2048. Interest on loans, 2048. Rating of property in Pascoe Vale South, 2585.


Melbourne Stock Exchange—Sale of mining shares, 4851.

Metropolitan Fair Rents Board—Rent control, 257.

Motor Car (Driving Offences) Bill, 5211.


Poverty—Incidence, 1191.

Prerogative of Mercy—Committal of woman to prison for non-payment of fine, 1803.

Price Control—Need for, 1192.


Public Trustee (Amendment) Bill, 5072, 5331.

Public Works Department—Maintenance of schools in Brunswick West electorate, 4047.

Questions on Notice—Delays in answering, 256.

Registration of Births Deaths and Marriages (Amendment) Bill, 736, 737, 738, 741, 742.


Scaffolding Bill, 4992.

State Rivers and Water Supply Commission—Retrenchments, 1101.
Turnbull, Mr. Campbell—continued.

Student Demonstrations—Allegations against police, 324, 325.
Summary Offences Bill, 3741.
Summary Offences (Trespassers) Bill, 3553, 3603.
Supply, 256.
Teaching Service (Tribunal) Bill, 2370, 2705, 2706.
Transfer of Land (Duplicate Certificates) Bill, 3996.
Trustee Companies (Equity Trustees) Bill, 4775.
Tullamarine Freeway—Suggested boundary between Essendon, Brunswick and Coburg, 703.
Urban Renewal Bill (No. 2), 1503, 1834, 1840, 1843, 1854.
Vietnam War—Attendance of students at moratorium march, 398.
Workers Compensation—Inadequacy, 256.
Workers Compensation Bill, 3088.

U.


Uniform Taxation—System, 223, 1143.


University of Melbourne—Physical education course, (qn.) 48. Establishment of Chair of Environmental Studies, 52, 53, Quota system, (qn.) 236, 511. Matriculation examination, (qn.) 236. Misbehaviour of students: Disciplinary committees, (qn.) 604. (See also “Melbourne University Land Bill.”)

Urban Renewal Act—Application from City of Richmond for appointment as an urban renewal authority, (qn.) 4859. Appointment of urban renewal commissioners, (qn.) 5320.

Urban Renewal Bill—Introduction and first reading, 181.

Urban Renewal Bill (No. 2)— Appropriation resolution, 495; introduction and first reading, 495; second reading, 727; suggested withdrawal of Bill, (qn.) 1388; resumption of second reading debate, 1398, 1421, 1489; Committee, 1506, 1578, 1829; remaining stages, 1857. Council amendments dealt with 2524, 3438.

Ustashi Movement—Activities in Latrobe Valley, (qn.) 399.

V.

Valuer General’s Office—Staff, 252. Fee for valuations, (qn.) 4403.

Vermin and Noxious Weeds (Amendment) Bill—Introduction and first reading, 1292; second reading, 1456, 1738; Committee, 1742; remaining stages, 1744.

Vermin and Noxious Weeds (Amendment) Bill (No. 2)—Introduction and first reading, 4226; second reading, 4319, 4544; Committee, 4548; remaining stages, 4550.

Veterinary Services — Testing of samples, 272.


Victoria Institute of Colleges (Amendment) Bill — Introduction and first reading, 4226; second reading, 4322, 5008; remaining stages, 5008.

Victorian Arts Centre — Construction, 3377.

Victorian Bands League — Government grant, 3400.


Victorian Football League — Betting on football matches, (qns.) 3937, 4413.

Victorian Inland Meat Authority (Amendment) Bill — Received from Council and first reading, 650; second reading, 725, 1311; remaining stages, 1315.


Victorian Pipelines Commission — Gas transport charges, (qns.) 1803, 1806. Compensation for easements affecting fruit trees, (qn.) 4853. (See also “Gas and Fuel Corporation (Pipelines) Bill” and “Pipelines (Amendment) Bill.”)

Victorian Railways — continued.


Victorian Railways—continued.


Victorian Territorial Waters—Discussions between State and Federal Governments, (qn.) 244.

Victorian Universities and Schools Examinations Board—Matriculation examination, (qn.) 1012.

Volcanoes—Preservation of extinct volcanoes, (qn.) 1467.

Votes on Account. (See "Supply, Committee of.")

W.

Wards of State—Waiting list of Mental Health Authority, 1008. Payments for, (qn.) 1094.

Water (Amendment) Bill—Introduction and first reading, 1178; second reading, 1298, 1613; Committee, 1614; remaining stages, 1615.

Water (Amendment) Bill (No. 2)—Introduction and first reading, 4867; second reading, 4869.
INDEX.

Water (Further Amendment) Bill—Introduction and first reading, 1568; second reading, 1936, 2715; Committee, 2715; third reading, 2717, 2789.

Water Supply. (See "State Rivers and Water Supply Commission.")

Water Supply Works and Services Bill—Appropriation resolution, 1294; introduction and first reading, 1294; second reading, 1429, 2498; Committee and remaining stages, 2512.

Waterworks and Sewerage Trusts. (See "State Rivers and Water Supply Commission.")

Weighbridges. (See "Country Roads Board.")

Weights and Measures (Amendment) Bill—Received from Council and first reading, 1612; second reading, 1815, 3624; remaining stages, 3625.

Westernport Development Act—Allocations to industry, 1122, 1128.

Westernport Development Bill—Introduction and first reading, 824; second reading, 943, 1615, 1760; third reading, 1761.

Western Port Steel Works (Development Control) Bill—Introduction and first reading, 2310; declared a private Bill, 2310; motion to treat as public Bill agreed to, 2310; second reading, 2310, 3214; remaining stages, 3214.


West Gate Bridge Disaster—Condolences, 1015. Royal Commission: Issue of pamphlet, 1340, 1341, 1342; legal assistance to trade union movement, (qn.) 2051; recess in hearings, (qn.) 3187.

West Gate Bridge Royal Commission Bill—Appropriation resolution, 1014; introduction and first reading, 1014; second reading, 1014, 1016; Committee and remaining stages, 1017.

West Melbourne Market Land (Amendment) Bill—Introduction and first reading, 179; second reading, 207, 544; remaining stages, 545.

Wheat Marketing (Amendment) Bill—Received from Council and first reading, 2152; second reading, 2318, 3529; Committee and remaining stages, 3536.

Wheat Marketing (Special Quotas) Bill—Received from Council and first reading, 63; second reading, 63; Committee and remaining stages, 69.

Wheeler, Mr. K. H. (Essendon).

Cemeteries (Fawkner Crematorium and Memorial Park) Bill, 4906, 4907.

Country Roads (Amendment) Bill, 5381.

Education Department—Teachers at Glenroy High School, 4956.

Environment Protection Bill, 2963.


Gas and Fuel Corporation—Removal of unused gasometers, 3414.

Land—Compulsory acquisition, 3409.

Land Tax Bill, 2845.

Litter (Proceedings for Offences) Bill, 5002.

Local Authorities Superannuation (Disability Benefits), Bill, 3541.

Local Government (Further Amendment) Bill, 5371.

Local Government (Municipalities Assistance Fund) Bill, 4333, 4335, 4338.

Methodist Church (Victoria) Property Trust Bill, 1338.

Municipalities—Expenditure on lighting of State highways and freeways, 4104. City of Keilor: Canning Street bridge, 4954.


Public Accounts, Committee of—Reports presented: Public Trustee's Office Accounts Branch, 1567; Government expenditure on tourism, 3903; Auditor-General's report for 1969-70, 5343; Treasury minutes on committee's reports, 5343.

Public Trustee (Amendment) Bill, 5327, 5330, 5331.

Second-hand Dealers (Charity Collectors) Bill, 2498.

Social Welfare Bill, 3283.

Town and Country Planning (Amendment) Bill, 5338, 5343.

Rulings and Statements as Acting Chairman of Committees—Debate—Statement in debate, 1151. Relevancy of remarks, 1153, 2602, 2604, 2605, 2610, 2936, 2940, 2941, 2983,
LEGISLATIVE ASSEMBLY.

Wheeler, Mr. K. H.—continued.

3378, 4656, 4661. Interjections, 2604, 3338. Member to address Chair, 3381. Conversations between members, 4659. Expression objected to, 4662.

Whiting, Mr. M. S.—continued.

Whiting, Mr. M. S.—continued.

Water (Amendment) Bill, 1613, 1614.
Water (Further Amendment) Bill, 2793.
Water Supply Works and Services Bill, 2500.
West Melbourne Market Land (Amendment) Bill, 545.
Wheat Industry—Assistance, 49, 305.

Wilcox, Mr. V. F. (Camberwell).

Aircraft—Third-party insurance for passengers, 532, 534.
Anzac Day—Railway services, 4219.
Ballarat and Bendigo Tramways—Proposed abandonment, 393, 1013. Cost of inquiry by Transport Regulation Board, 393. Tram cars in service, 396.
Civil Aviation (Carriers' Liability) Bill, 144, 195, 344, 345, 346, 347.
Coburg Lake—Maintenance, 4404.
Commonwealth Constitution—Proposed amendment, 1021.
Country Roads (Amendment) Bill, 4097, 4122.

Dog Bill, 2152.

Drainage—Tyabb scheme, 2305.
Education Department—Mooroopa Primary School, 347.
Forests (Amendment) Bill, 2491.
Juries (Compensation) Bill, 925.
Justices (Service of Summons) Bill, 5009.

Legal Profession Practice (Amendment) Bill, 919.
Litter (Proceedings for Offences) Bill, 4097, 4125.
Local Authorities Superannuation ( Disability Benefits) Bill, 2445.
Local Government—Proposed inquiry, 911.
Local Government (Further Amendment) Bill, 4688.

Wilcox, Mr. V. F.—continued.

Local Government (Municipalities Assistance Fund) Bill, 3832, 3845.
Local Government Superannuation ( Disability Benefits) Act—Proclamation, 4154.
Melbourne and Metropolitan Board of Works Bill, 2682, 2836, 3621.
Melbourne Harbor Trust—Proposed private dock on trust property, 4622.
Melbourne Underground Rail Loop Bill, 1293, 1473, 1479, 1480, 2141, 2146, 2147, 2148, 2149, 2150, 2151, 2152.
Legislative Assembly. (179)

Wilcox, Mr. V. F.—continued.

Melbourne Wholesale Fruit and Vegetable Market—Charges, 4855.

Metropolitan Transportation Plan—Amendments, 300. Geelong and Altona rail services, 300.

Moorabbin Airport—Extensions, 112, 244.


Municipal Association (Amendment) Bill, 3832, 3845.


Phillip Island—Planning scheme, 1683, 4042.


Pollution—Sewage in Goulburn River, 860.

Public Accounts Bill, 923, 1446.


Queen Victoria Market—Redevelopment of site, 3889.

Railways Lands Bill, 1320, 1570.

Railway Works and Services Bill, 1760, 1968, 2681.

Wilcox, Mr. V. F.—continued.

River Entrance Docks Railway Construction Bill, 492, 497, 498, 1319.


Road Safety and Traffic Authority—Traffic signals for Murray Road, East Preston, 3888.


Road Traffic—Congestion in Reservoir, Lalor and Broadmeadows, 108. Speed limits for heavy trucks, 2048. Accident at Weerite level crossing, 2048.

Summary Offences (Trespassers) Bill, 3589, 3611.

Superannuation (Railway Service) Bill, 4464, 4541, 4637.

Superannuation (Transitional Provisions) Bill, 4965, 4966.

Tallarook—By-pass road, 1178.

Town and Country Planning Board—Phillip Island scheme, 4042.

Transport—Staggered hours of work, 5156.

Transport Inquiry—Publicity, 2199. Submissions, 3185, 3948.


Valuer-General—Revenue, 4403. Compulsory acquisition valuations, 4403.

Victorian Railways—Melbourne underground rail loop: Financing, 49, 814; surcharge on country fares, 178; acquisition of land by Melbourne and Metropolitan Board of Works, 815, 918; Joy report, 1560; type of carriages, 3523; McAlpine submissions, 5323, 5325. Concession fares, 113, 396, 1009, 4041. Level crossings: Heywood, 170; Watsonia, 176; open level crossings, 399; North Shore Road, Norlane, 809, 1099; O'Connell Street, Geelong West, 809; barriers installed, 819, 1007; between Hamilton and Coleraine, 4211; Tyers Street, Hamilton, 5317. Use of land at St. Albans, 241. Functions of guards,
INDEX.

Wilcox, Mr. V. F.—continued.


Wilkes, Mr. F. N. (Northcote).

Wilkes, Mr. F. N.—continued.

Business of the House—Days and hours of meeting, 70, 4272.
Censorship—Portnoy’s Complaint, 178, 251.
Chairman of Committees—Election of Sir Edgar Tanner, 59.
Chief Secretary’s Department—Effect of Government economies, 3872.
Child Cruelty—Reporting of cases, 1908.
Cigarettes—Health warning on packets, 3066. Ban on advertising, 5150.
Collingburn, Mr. N. S.—Inquiry into death, 4407, 4408, 4525. Indemnity for persons making statements on death, 4569. Report from Police Department, 4746.
Commonwealth Constitution—Proposed amendment, 1040.
Constitution Act Amendment (Reduction of Voting Age) Bill, 3926.
Country Roads Board—Subsidies to municipalities, 796, 799.
County Court (Jurisdiction) Bill, 4354, 4356.
Education—Inadequacy of pre-school education facilities, 1153.
Fair Rents Board—Review of rentals, 3395.
Family Courts Bill, 180.
Firearms Bill, 3997, 3999.
Footwear Regulation Bill, 199.
Gas and Fuel Corporation—Collection of accounts, 316.
Gas and Fuel Corporation (Borrowing) Bill, 751.
Geelong Gas Company—Trading in shares, 4778.
Government Departments and Instrumentalities—Employees, 3935. Effect of Government economies, 4447.
Grievances, 5047.
Health, Department of—Subsidized day nurseries: Enrolments, 705; waiting lists, 705. Subsidies to municipalities, 796.
Horse-racing—Mid-week meetings at Sandown, 3937. Report of Victoria Racing Club, 3937.
Housing Commission—Applications and waiting lists, 806. Evictions, 806. Disposal of land to private developers, 1287, 1288.
Immigration Department—Victorian intake of migrants, 3878, 4446.
Industry—Industrial unrest, 250.
Law Department—Variation of sentence imposed on toolmaker, 1008. Prison sentence without hearing, 4310.
Wilkes, Mr. F. N.—continued.

Libraries—Closure of State Library on Saturdays, 4524.
Liquor Control (Amendment) Bill, 5066, 5070.
Liquor Control Commission—Cost of proposed duplication, 4745.
Litter (Proceedings for Offences) Bill, 5003.
Local Government (Further Amendment) Bill, 5365, 5375.
Local Government (Municipalities Assistance Fund) Bill, 4337.
Magistrates Courts—Suggested traffic courts, 1923.
Medical Practitioners Bill, 2215.
Melbourne and Metropolitan Board of Works—Acquisition of land for Melbourne underground rail loop, 918. Revenue, 1176.
Melbourne Underground Rail Loop Bill, 2138.
Mental Health Authority—Use of St. Nicholas Hospital, 2438. Administration, 3915. Sunbury Mental Hospital, 4225.
Metropolitan Fire Brigades (Amendment) Bill, 1950.
Moorabbin Airport—Safety measures, 1100.
Motor Car (Amendment) Bill, 425, 430.
Motor Car (Driving Offences) Bill, 4118, 5192, 5228, 5229, 5230.
Motor Car (Fees) Bill, 2827.
Motor Car (Safety) Bill, 2793, 3737.
Motor Registration Branch—Driving licences and revenue, 1909.
National Parks Bill, 1727, 3206.
Nursing Profession—Training curricula, 4313. Nursing tutors, 4527.
Oil and Gas Resources—Royalties, 4201, 4445.
Parliamentary Salaries Bill, 3741.
Parliamentary Superannuation Bill, 5060.
Parole Board—Effect of shortage of staff on parole, 486.
Pay-roll Tax—Rescinding of vote, 3401. Transfer to States, 4106.
Petition—Requesting restriction of sale of alcoholic drinks to licensed premises, 4865.
Wilkes, Mr. F. N.—continued.


Police Regulation (Amendment) Bill, 4346, 4350.


Price Control—Introduction, 4449.

Prisons Division—Pentridge Gaol: Disturbances, 814; prisoners, 996; complaints to visiting magistrate, 996; expenditure, 1092; revenue, 1092; staff, 1093; strike threat, 1172. Staff, 994, 3891. Expenditure, 994. Revenue, 994. Employment conditions, 1093. Fairlea Female Prison: Relocation, 1562, 3892, 3932, 5154; disturbances, 5150; separate cell confinement, 5152. Rates of pay of prison officers, 3891. Accommodation at Winlaton Youth Training Centre, 4312.

Public Service—Overtime payments, 3870.

Public Works and Services Bill, 2917, 2941.

Public Works Department—Maintenance of school buildings, 3383.

Wilkes, Mr. F. N.—continued.

Questions without Notice—Absence of Ministers during question time, 714, 715, 4528. Questions to Ministers representing Ministers in another place, 5041.

Rent Control—Activities of Rental Investigation Bureau, 802. Properties with controlled rents, 802. Cases heard by Fair Rents Board, 803.

Road Safety—Use of breathalyzers and speed measuring devices, 263.

Road Safety Committee—Recommendations, 264.

Road Traffic (Amendment) Bill, 431.

Road Traffic (Road Safety and Traffic Authority) Bill, 2589, 2599, 2600, 3616.

Scaffolding Bill, 4997.

Sewerage Districts (Amendment) Bill, 929.

Sheriff's Office—Shortage in funds, 5039.


Stamp Duty—On share transactions, 814, 902.


State Insurance Offices—Scope of operations, 4445.

State Savings Bank—Loans to municipalities, 901. Scope of operations, 4445.

Statutory Salaries Bill, 3744.

Student Demonstrations — Allegations against police, 320.

Summary Offences Bill, 3737, 3740.

Summary Offences (Trespassers) Bill, 3522, 3558, 3585.

Supply, 59, 249, 263, 3401, 4444.

Teaching Service—Proposed Select Committee, 3979, 3980.

Teaching Service (Tribunal) Bill, 2376.

Totalizator Agency Board—Same day pay-outs, 45, 2200. Betting on football matches, 3937.
Traffic Commission—Subsidies to municipalities, 795.
Traffic Courts—Suggested establishment, 1923.
Transport Inquiry—Form of inquiry, 533.
Victoria Institute of Colleges—Council vacancies, 4782, 4783, 4784.

Wilton, Mr. J. T. (Broadmeadows).
Aboriginal Lands Bill, 2336.
Alcoa of Australia (W.A.) N.L. Bill, 4753, 4754.
Alcoholic Drinks—Petition requesting restriction of sale to licensed premises, 5156.
Audit (Recovery of Overpayments) Bill, 5400.
Ballarat and Bendigo Tramways—Ministerial statement on abandonment, 2478.
Boilers and Pressure Vessels Bill, 554.
Cemeteries (Fawkner Crematorium and Memorial Park) Bill, 4907, 4908.
Cigarettes—Health warning on packets, 3067, 3069, 4105.
Civil Aviation (Carriers' Liability) Bill, 347.
Coal Mines (Pensions) Bill, 4893.
Coal Mines (Pensions Increase) Bill, 946, 949.
Country Roads Board—Bridge over Maribyrnong River at Fisher Parade, 482. Grade separation at Camp Road, Broadmeadows, 483.


Footwear Regulation Bill, 504.
Forests (Amendment) Bill, 1936.

Gas and Fuel Corporation (Borrowing) Bill, 747, 748, 750.
Gas and Fuel Corporation (Geelong Gas) Bill, 4647, 4758, 4763.
Gas and Fuel Corporation (Pipelines) Bill, 5166, 5171, 5173, 5174.
Gas Distributors—Franchise areas, 1099.
Gas Franchises Bill, 1488, 3224, 3237, 3240, 3241, 3242, 3243, 3244, 3248.

Gas, Natural—Conversion of appliances, 2520. Sale to N.S.W., 4461. Supply to Ballarat and Bendigo, 5323.
Gas Supply Company Limited—Tariffs, 1291.
Wilton, Mr. J. T.—continued.

Groundwater (Amendment) Bill, 205, 539, 540, 541, 542, 3619.

Hansard—Salary of female reporter, 1923.

Health Act—Inclusion of phenoxy acetic acid in Third Schedule, 3420, 3421, 4359.

Hospitals and Charities Commission—Hosp­

tal finance, 400, 443, 2786, 4412. Staff for Greenvale Village for the aged, 3527.

Housing Commission—Broadmeadows “K” estate, 1002. Publicity for death benefit scheme, 1012. Waiting time for houses, 1123, 1125.

Industry—Industrial disputes, 274.

Joint Sitting of Parliament—Victoria In­
institute of Colleges: Council vacancies, 4783.

Kananook Creek—Pollution, 5041.

Kangaroos—Shooting at Barmah Forest, 485, 712.

Labour and Industry (Shop Closing) Bill, 933, 940, 943, 1416.


Land Tax Bill, 2841.

Law Department—Court house for Thom­

astown—Lalor area, 3060. Coronial inquir­
eys, 4516. Government Patholo­
gist's reports, 4516.

Libraries—Subsidies for regional libraries, 1390.


Local Government (Further Amendment) Bill, 5376.

Local Government (Municipalities Assist­

ance Fund) Bill, 4333, 4334, 4335, 4340, 4341.

Lotteries Gaming and Betting (Amend­

ment) Bill, 549, 550.

Melbourne Underground Rail Loop Bill, 2143, 2145, 2150.

Members—Matters raised on motion for adjournment of sitting, 3636.

Mental Health Authority—Royal Park Psychiatric Hospital, 2047, 2196. Ad­

ministration, 3923.

Metropolitan Fire Brigades (Amendment) Bill, 1947.

Miners' Pensions—Adjustments for de­

pendants, 2437.


Motor Registration—Concessions for hand­
dapped persons, 227.

Municipalities—Maintenance works on public buildings, 3412. Financial bur­
dens, 3413.

National Parks Authority—Administration of national parks, 275. Annual reports, 5403.

National Parks Bill, 1728, 3197, 3210, 3211, 3213.

Oil and Gas Resources—Control, 1121.

Graticular system, 1122, 1126. Roy­
talties, 1122, 3900, 3901. Profits, 3900.

Arrangements with development compa­
nies, 4460.

Parliament—Prorogation and remaining business, 5400.

Petition—Requesting restriction of sale of alcoholic drinks to licensed premises, 5156.

Pipelines, (Amendment) Bill, 5162, 5164, 5232.


Pollution—Melting of aluminium cans, 1618. Emissions from NuFarm, Rural Products Pty. Ltd., Broadmeadows, 3420. 3421. Kananook Creek, 5041.


Price Control—Effectiveness, 4462.

Primary Industry—Condition, 1127.

Public Transport—Use of liquefied petro­

leum gas as fuel, 1013.

Public Works and Services Bill, 2925.

Questions without Notice—Absence of Ministers, 1106, 5041.
Wilton, Mr. J. T.—continued.

Railway Works and Services Bill, 2675.
River Entrance Docks Railway Construction Bill, 498.
Road Traffic (Road Safety and Traffic Authority) Bill, 2601, 2602, 2609.
Royal Botanic Gardens—Kiosk, 277.
Rural Reconstruction Scheme—Funds from farmers’ debt adjustment scheme of 1930s, 4100. Commonwealth proposals, 4052.
Scaffolding Bill, 5081, 5397.
Scaffolding Regulations—Administration and policing, 110, 113. Control by municipalities, 113.
Social Welfare Department—Family welfare officers for Glenroy, 4529, 4740.
State Development Bill, 3112, 3135, 3137, 3141.
State Finance—Commonwealth-State financial relations, 1121.
Stock (Artificial Breeding) (Amendment) Bill, 5012.
Strangers—Admittance to gallery, 2718.
Summary Offences Bill, 3739, 3740.
Summary Offences (Trespassers) Bill, 3575, 3576, 3587, 3605.
Summary Offences (Trespass to Farms) Bill, 958, 1056, 3619.
Supply, 274, 4458.
Teaching Service (Tribunal) Bill, 2707, 2710.
Tullamarine Freeway—Cost, 5314.
Urban Renewal Bill (No. 2), 1840.
Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4547.
Victoria Institute of Colleges—Budget allowance for salary increases, 4624. Application of national wage increase to academic salaries, 4627. Council vacancies, 4783.
Victorian Pipelines Commission—Charges for transport of natural gas, 1803, 1806.
Wilton, Mr. J. T.—continued.

Victorian Railways—Industrial disputes, 274. Grade separation at Camp Road, Broadmeadows, 483. Extension of suburban services beyond Broadmeadows, 2904. Trailer carriages, 4210. Epping, Upfield and Broadmeadows services, 4210.
Water Supply Works and Services Bill, 2504.
Westernport Development Act—Financial allocations to industry, 1122.
Westernport Development Bill, 945, 1615.
Western Port Steel Works (Development Control) Bill, 2311, 3214.
Western Spruce Disaster—Prosecutions, 4054, 4206, 4461, 4462. Report of Court of Marine Inquiry, 4461.
West Melbourne Market Land (Amendment) Bill, 209.
Wheat Marketing (Amendment) Bill, 3534, 3535.
Wheat Marketing (Special Quotas) Bill, 66, 69.

Wiltshire, Mr. R. J. (Syndal). 
Budget for Year 1970-71, 1128.
Grievances, 5054.
Housing Commission—Acquisition of properties, 1128.
Law Department—Court house for City of Waverley, 1130.
Liquor Control Commission—Licensed grocers, 1131.
Litter (Proceedings for Offences) Bill, 5004.
Motor Registration Branch—Qualifications for driving licences, 1130.
Motor Vehicles—Fitting of mud flaps, 1131.
Points of Order—Expressions objected to, 3553, 4453.
Road Safety—Use of non-skid paint on roads, 1131.
Road Traffic (Road Safety and Traffic Authority) Bill, 2604.
Summary Offences (Trespassers) Bill, 3552, 3553.
Wiltshire, Mr. R. J.—continued.

Tourism—Development of country towns, 1130.
Town Planning—Rezoning, 1129.
Vermin and Noxious Weeds (Amendment) Bill (No. 2), 4545.
Victorian Railways—Car parking facilities at stations, 5054. East Malvern—Glen Waverley line, 5054.
Westernport Development Act—Financial assistance for industry, 1128.
Rulings and Statements as Acting Chairman of Committees—
Debate—Member to address Chair, 1126. Reflection on Chair, 4676. Method of dealing with amendments, 5082.
Rulings and Statements as Acting Speaker—
Debate—Relevancy of remarks, 554. Interjections, 2814.

Wodonga Lands Exchange Bill—Introduction and first reading, 1567; second reading, 1695, 2485; appropriation resolution, 2486; Committee and remaining stages, 2486.

Wombats—Control, (qn.) 1174.

Wool Industry. (See "Primary Industries—Wool Industry.")


Workers Compensation Bill—Introduction and first reading, 1107; second reading, 1324, 3070; Committee, 3091, remaining stages, 3096.

Workers Compensation (Common Law Claims) Bill—Introduction and first reading, 1107.

Y.

Yallourn Town Advisory Council—Members, (qn.) 239.

Yarra Bend National Park Trust—Grants and subsidies, (qn.) 2045.


Yugoslav Consulate—Bombing incident, (qn.) 1172. Removal from residential area, 2998, 2999.

BILLS PASSED BY BOTH HOUSES.

Aboriginal Lands Bill.
Aerial Spraying Control (Amendment) Bill.
Albert Park Land Bill.
Alcoa of Australia (W.A.) N.L. Bill.
Appeal Costs Fund Bill.
Apprenticeship (Amendment) Bill.
Appropriation Bill.
Architects (Amendment) Bill.
Audit (Auditor-General) Bill.
Audit (Recovery of Overpayments) Bill.
Barley Marketing Bill.
Boilers and Pressure Vessels Bill.
Building Societies (Amendment) Bill.
Cemeteries (Fawkner Crematorium and Memorial Park) Bill.
Churchill Water and Sewerage Works Bill.
Civil Aviation (Carriers' Liability) Bill.
Coal Mines (Pensions) Bill.
Coal Mines (Pensions Increase) Bill.
Commonwealth Places (Administration of Laws) Bill.
Consolidated Revenue (Final Supplementary Estimates 1969-70) Bill.
Consolidated Revenue (Supplementary Estimates 1969-70) Bill.
Consolidated Revenue (Supply—July to September, 1970) Bill.
Consolidated Revenue (Supply—October to December, 1970) Bill.
Constitution Act Amendment (Responsible Ministers) Bill, The.
Co-operative Housing Societies (Amendment) Bill.
Country Fire Authority (Borrowing Powers) Bill.
Country Roads (Amendment) Bill.
County Court (Jurisdiction) Bill.
Crimes (Amendment) Bill.
Criminal Appeals Bill.
Crown Proceedings (Forfeited Recognisances) Bill.
Discharged Servicemen's Preference (Amendment) Bill.
Dog Bill.
East Melbourne Land Bill.
Ehrenhaus Retail Bottled Liquor Licence Bill.
Employers and Employés (Attachment of Wages) Bill.
Environment Protection Bill.
Evidence (Registration of Commissioners) Bill.
Evidence (Scientific Tests) Bill.
Fertilizers and Stock Foods (Labelling) Bill.
Firearms Bill.
Fisheries (Amendment) Bill.
Footwear Regulation Bill.
Forests (Amendment) Bill.
Forests (Bowater-Scott Agreement) Bill.
Gas and Fuel Corporation (Borrowing) Bill.
Gas and Fuel Corporation (Geelong Gas) Bill.
Gas and Fuel Corporation (Pipelines) Bill.
Gas Franchises Bill.
Geelong Land (Special Grant) Bill.
Geelong Waterworks and Sewerage (Rates) Bill.
Grassmere Land Bill.
Groundwater (Amendment) Bill.
Hairdressers Registration (Amendment) Bill.
Health (Tuberculosis Arrangement) Bill.
Hire Purchase (Insurance) Bill.
Home Finance (Amendment) Bill.
Hospitals Superannuation (Amendment) Bill.
Housing (Amendment) Bill.
Howard Florey Institute of Experimental Physiology and Medicine Bill.
Imperial Acts Application (Repeals) Bill.
Joint Select Committee (Meat Industry) Bill.
Joint Select Committee (Road Safety) Bill.
Judges' Pensions (Amendment) Bill.
Juries (Compensation) Bill.
Justices (Bail and Appeals) Bill.
Justices (Service of Summonses) Bill.
Labour and Industry (Amendment) Bill.
Labour and Industry (Shop Closing) Bill.
Land (Amendment) Bill.
Land Conservation Bill.
Land (Surrender to the Crown) Bill.
Land Tax Bill.
Legal Profession Practice (Amendment) Bill.
Lifts and Cranes (Amendment) Bill.
Liquor Control (Amendment) Bill.
Litter (Proceedings for Offences) Bill.
Local Authorities Superannuation (Disability Benefits) Bill.
Local Authorities Superannuation (Disability Benefits) (Commencement) Bill.
Local Government (Further Amendment) Bill.
Local Government (Municipalities Assistance Fund) Bill.
Lotteries Gaming and Betting (Amendment) Bill.
Maintenance (Amendment) Bill.
Marketable Securities (Amendment) Bill.
Marketing of Primary Products (Amendment) Bill.
Medical Practitioners Bill.
Melbourne and Metropolitan Board of Works Bill.
Melbourne Underground Rail Loop Bill.
Melbourne University Land Bill.
Methodist Church (Victoria) Property Trust Bill.
Metropolitan Fire Brigades (Amendment) Bill.
Mines (Compensation) Bill.
Money Lenders (Prescribed Interest) Bill.
Motor Car (Amendment) Bill.
Motor Car (Driving Offences) Bill.
Motor Car (Fees) Bill.
Motor Car (Safety) Bill.
Municipal Association (Amendment) Bill.
National Museum of Victoria Council Bill.
National Parks Bill.
New Broken Hill Consolidated Limited Bill.
Parliamentary Salaries Bill.
Parliamentary Superannuation Bill.
Pipelines (Amendment) Bill.
Police Regulation (Amendment) Bill.
Presbyterian Church of Australia Bill.
Probate Duty Bill.
Protection of Animals (Rodeos) Bill.
Public Account Bill.
Public Service (Amendment) Bill.
Public Trustee (Amendment) Bill.
Public Works and Services Bill.
Racing (Amendment) Bill.
Railways Lands Bill.
Railway Works and Services Bill.
Registration of Births Deaths and Marriages (Amendment) Bill.
Revocation and Excision of Crown Reservations Bill.
River Entrance Docks Railway Construction Bill.
River Improvement (Amendment) Bill.
Road Traffic (Amendment) Bill.
Road Traffic (Road Safety and Traffic Authority) Bill.
Scaffolding Bill.
Science Museum of Victoria Bill.
Second-hand Dealers (Charity Collectors) Bill.
Securities Industry (Amendment) Bill.
Seeds Bill.
Sewerage Districts (Amendment) Bill.
Snowy Mountains Engineering Corporation (Victoria) Bill.
Social Welfare Bill.
Soil Conservation and Land Utilization (Amendment) Bill.
Soldier Settlement Bill.
Stamps Bill.
Stamps (Credit Business) Bill.
Stamps (Receipt Duty Abolition) Bill.
State Development Bill.
State Forests Works and Services Bill.
Statutory Salaries Bill.
Stock (Artificial Breeding) (Amendment) Bill.
Stock Diseases (Amendment) Bill.
Subordinate Legislation (Powers) Bill.
Summary Offences Bill.
Summary Offences (Trespassers) Bill.
Summary Offences (Trespass to Farms) Bill.
Superannuation (Amendment) Bill.
Superannuation (Railway Service) Bill.
Superannuation (Transitional Provisions) Bill.
Supply (July to September) Bill.
Supply (Supplementary Estimates) Bill.
Survey Co-ordination (Place Names) Bill.
Teacher Housing Bill.
Teaching Service (Tribunal) Bill.
Tomato Processing Industry (Amendment) Bill.
Town and Country Planning (Amendment) Bill.
Transfer of Land (Duplicate Certificates) Bill.
Trustee Companies (Equity Trustees) Bill.
Trustee Companies (Perpetual Trustees Australia Limited) Bill.
Urban Renewal Bill (No. 2).
Vermin and Noxious Weeds (Amendment) Bill.
Vermin and Noxious Weeds (Amendment) Bill (No. 2).
Victoria Institute of Colleges (Amendment) Bill.
Victorian Inland Meat Authority (Amendment) Bill.
Water (Amendment) Bill.
Water (Further Amendment) Bill.
Water Supply Works and Services Bill.
Weights and Measures (Amendment) Bill.
Westernport Development Bill.
Western Port Steel Works (Development Control) Bill.
West Gate Bridge Royal Commission Bill.
West Melbourne Market Land (Amendment) Bill.
Wheat Marketing (Amendment) Bill.
Wheat Marketing (Special Quotas) Bill.
Wodonga Lands Exchange Bill.
Workers Compensation Bill.

**BILLS INTRODUCED INTO BUT NOT PASSED BY ASSEMBLY.**

Companies Bill.
*Constitution Act Amendment (Reduction of Voting Age) Bill, The.
Dentists Bill.
*Family Courts Bill.
*Historic Relics Preservation Bill.
*Parliamentary Commissioner (Ombudsman) Bill.
Phillip Island Conservation Bill.
*Social Welfare (Amendment) Bill.
Teaching Service (Amendment) Bill.
*Urban Renewal Bill.
Water (Amendment) Bill (No. 2).
*Workers Compensation (Common Law Claims) Bill.

**BILLS INTRODUCED INTO BUT NOT PASSED BY COUNCIL.**

*Abolition of Capital Punishment Bill.
*Constitution Act Amendment (Disqualification) Bill, The.
Constitution (Member's Qualifications) Bill, The.
*Crimes (Inhumane Punishments Abolition) Bill.
*Labour and Industry (Equal Pay) Bill.
*Right of Privacy Bill.
Statute Law Revision Bill.
*Vagrancy (Insufficient Means) Bill.
*Workers Compensation (Common Law Claims) Bill.
*Wrongs (Industrial Accidents) Bill.

* Private Member's Bill.

**BILLS PASSED BY ASSEMBLY BUT NOT BY COUNCIL.**

Nil.

**BILLS PASSED BY COUNCIL BUT NOT BY ASSEMBLY.**

Nil.

**SUMMARY.**

| Bills passed by both Houses | 174 |
| Bills introduced into but not passed by Assembly | 12 |
| Bills introduced into but not passed by Council | 10 |
| Bills passed by Assembly but not by Council | — |
| Bills passed by Council but not by Assembly | — |

Total number of Bills introduced 196

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