

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-FOURTH PARLIAMENT

FIRST SESSION

3 April 2001

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By authority of the Victorian Government Printer

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FIFTY-FOURTH PARLIAMENT — FIRST SESSION

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The Hon. S. P. BRACKS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. W. THWAITES

Leader of the Parliamentary Liberal Party and Leader of the Opposition:

The Hon. D. V. NAPHTHINE

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:

The Hon. LOUISE ASHER

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Mr P. J. RYAN

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Languiller, Mr Telmo	Sunshine	ALP	Wilson, Mr Ronald Charles	Bennettswood	LP
Leigh, Mr Geoffrey Graeme	Mordialloc	LP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 3 November 1999

² Elected 11 December 1999

³ Resigned 12 April 2000

⁴ Elected 13 May 2000

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Tuesday, 3 April 2001

The SPEAKER (Hon. Alex Andrianopoulos) took the chair at 2.06 p.m. and read the prayer.

ABSENCE OF MINISTER

The SPEAKER — Order! I have been advised that the Attorney-General will be absent from Parliament this week due to illness. The Minister for Local Government will answer questions for the Attorney-General's portfolio responsibilities, and the Premier will deal with matters pertaining to the manufacturing and racing portfolios.

QUESTIONS WITHOUT NOTICE**Land tax: small business**

Dr NAPHTHINE (Leader of the Opposition) — I refer to Labor's election promise that taxes and charges must be fair and conducive to growth. Will the Premier explain how increasing the number of Victorian land tax payers from 140 000 to almost 400 000 and shifting the taxation burden from multinational companies onto small businesses and self-funded retirees as proposed by the government's business taxation program can be fair and conducive to growth?

Honourable members interjecting.

The SPEAKER — Order! I ask government members to come to order.

Mr BRACKS (Premier) — In answer to the honourable member's question, the only land tax increase that has been experienced in the state in the past couple of years has been as a result of the Kennett government.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Monbulk!

Mr BRACKS — The Kennett government in which the Leader of the Opposition was a minister, and the Kennett government in which the Deputy Leader of the Opposition was a minister — —

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc!

Mr BRACKS — They presided over a system which reduced the threshold on land tax from \$200 000 to \$85 000. That one change, which was supported and voted on by the Leader of the Opposition and the shadow Treasurer, netted 70 000 new land tax payers in Victoria.

It goes further. Changes to other taxes were pursued by the previous government, of which the Leader of the Opposition and shadow Treasurer were ministers, such as the change to the threshold for payroll tax that also netted new small businesses.

Dr Naphthine — On a point of order, Mr Speaker, the Premier is now debating the question. His answer is hardly relevant to the question. The question was about his government's tax plan to increase the number of land tax payers from 140 000 to almost 400 000. There will be thousands of new land tax payers. What will he do about it?

The SPEAKER — Order! The point of order taken by the Leader of the Opposition was on whether the Premier was debating the question, but he proceeded to debate the question himself. I will not allow him to continue to do that. The Premier is required not to debate the question but to answer it.

Mr BRACKS — The two biggest tax changes that have netted new small business payers are, firstly, the land tax changes under the previous government's policy which resulted in 70 000 new land tax payers, and secondly, payroll tax changes that reduced the threshold to net an additional 2556 payroll taxpayers.

If those two changes under the previous government were not enough, the third change and the one in which — —

Dr Naphthine — On a point of order, Mr Speaker, the Premier has continued to debate the question and has failed to answer it. The question was about what he and his government will do about his government's tax reform of land tax. What will he do to help small business in Victoria?

The SPEAKER — Order! That is a similar point of order to the one raised previously by the Leader of the Opposition.

Mrs Peulich interjected.

The SPEAKER — Order! The honourable member for Bentleigh!

I do not uphold the point of order raised by the Leader of the Opposition. I ask the Premier to continue to answer the question.

Mr McArthur interjected.

The SPEAKER — Order! The honourable member for Monbulk!

Mr BRACKS — The Kennett government introduced tax changes, such as land tax.

Honourable members interjecting.

Mr BRACKS — The opposition is trying to run away from the former Kennett government at 100 miles an hour.

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order. I ask members of the opposition — —

Mr Nardella interjected.

The SPEAKER — Order! The honourable member for Melton!

I ask members of the opposition to cease interjecting in that manner.

Mr BRACKS — Not only were there two tax changes by the former government that netted new small-business taxpayers, but thirdly, and importantly, the Liberal Party is the party that supports the GST, the biggest one-off impost on Victorian small business — making it three strikes!

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order!

Mr McArthur interjected.

The SPEAKER — Order! The honourable member for Monbulk!

Honourable members interjecting.

The SPEAKER — Order! Again, the house should come to order, and the Premier should return to answering the question.

Mr BRACKS — In summary, the only land tax changes that have netted new small business payers derive from the Kennett government. The Leader of the Opposition is trying to run 100 miles from that government, but he cannot.

Dr Napthine interjected.

Mr BRACKS — You were a minister in the Kennett government. You cannot run from those changes!

Victorian Major Events Company: chairman

Mr HOWARD (Ballarat East) — I refer the Premier to the importance of major events to the Victorian tourism industry and ask him to inform the house of the new appointment to the Victorian Major Events Company.

Mr BRACKS (Premier) — I thank the honourable member for Ballarat East for his question and endorse his remarks by reiterating the great success the former Melbourne Major Events Corporation, now the Victorian Major Events Company, has had in the past 10 years. Members on this side of the house welcome the change in policy adopted by the Labor Party to expand the former corporation.

I also congratulate the former chair of the company, Ron Walker, for embracing the Bracks government's policy change and ensuring that — —

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc shall cease interjecting.

Mr BRACKS — I thank Ron Walker for embracing that change and ensuring that major events occur throughout the state.

The major events corporation has endured three governments. It was established in 1991 by the former Labor government and continued during the Kennett government, and it is now a success story as the Victorian Major Events Company under the current Labor government. It has accrued some \$2 billion-plus benefits to the Victorian economy during that time.

Ms Asher interjected.

Mr BRACKS — I would not criticise Ron Walker on that side if I were you. I wouldn't do it! I know you want to, but I would not do it. Ron Walker has done a fantastic job with the major events corporation.

Honourable members interjecting.

The SPEAKER — Order! The honourable members for Doncaster and Malvern!

Mr BRACKS — If you examine the built-up benefit of the major events corporation, you will see

that last year alone it had built up some \$680 million of economic benefit to the Victorian economy, which is significant. Currently, some \$2 billion of major events are in the pipeline, which is a sound base to build on following 10 years of successful operation.

On behalf of the government and the Parliament I pay tribute to the retiring head of the Victorian Major Events Company, Ron Walker, who has been — —

Mrs Peulich interjected.

The SPEAKER — Order! The honourable member for Bentleigh shall cease interjecting.

Honourable members interjecting.

The SPEAKER — Order! The level of interjection is too high. The Chair is having difficulty hearing the Premier. I ask the honourable member for Bentleigh to cease interjecting.

Mr BRACKS — Again I pay tribute to the tireless leadership that Ron Walker has undertaken over the last 10 years. He has worked with three premiers effectively and, as was reiterated — —

Honourable members interjecting.

Mr BRACKS — It is interesting to know how quickly they forget the past over there, how quickly they want to shun Ron Walker. I was not going to bring up Ron Walker in these comments about the Leader of the Opposition, but obviously he wants to bring the subject up. Ron Walker has been dynamic and determined and he has delivered over the last 10 years. I congratulate him on behalf of the Victorian public for what he has delivered and I welcome his ongoing contribution to the organisation committee of the 2006 Commonwealth Games. I welcome also his continued stewardship and chairmanship of the Australian Grand Prix Corporation and the two events which are held by that body.

I also welcome the appointment of Mr Steve Vizard to the Victorian Major Events Company. I believe he will be a great successor to the former chairman of that organisation. Steve Vizard is a successful entrepreneur and businessman, he has a passion for sport and the arts, and will bring some new events and activities to the major events company while ensuring that we build on and secure the international events we already have. I believe he is the best equipped to take on that task on behalf of the Victorian public. I congratulate him for taking on what are often thankless tasks in the service of the public. Those tasks do not have much reward. But what both Ron Walker and Steve Vizard have is a

passion for Victoria and a preparedness to work with the government of the day, no matter what its complexion.

I congratulate the previous chair, Ron Walker, for the past work he has undertaken, and I wish Steve Vizard every success in the future. I share their passion for Victoria.

Rail: gauge standardisation

Mr RYAN (Leader of the National Party) — I refer the Minister for State and Regional Development to his constant bleating about the refusal of the federal government to fund half of Labor's promise to standardise Victoria's rail freight lines. Given that the minister has not been bleating for federal assistance for the \$810 million project for fast trains to regional Victoria, will he explain why he expects the commonwealth to match state funds for the \$80 million standardisation project?

Mr BRUMBY (Minister for State and Regional Development) — I thank the Leader of the National Party for again reminding the house and the public of the commitment of the Bracks Labor government to rail standardisation in this state. It is the first Victorian government to actually commit funds to rail standardisation, but it is a big job. So we have consistently said that it is a task in which the federal government should join with the state government.

The government is out there providing leadership for Victoria and \$550 million for the fast rail links, \$40 million committed through the Regional Infrastructure Development Fund for rail standardisation and a huge investment in the roads network across the state.

I understand that last week the Minister for Transport met in Canberra with the federal transport minister to discuss these matters. The Victorian government is saying it would like to do the job better, quicker and faster, and it wants the federal government to join with it in this great state-building project. That is what it is: a state-building project.

It is about time the Leader of the National Party stood up for his state, flew up to Canberra and lobbied the federal Minister for Transport and Regional Services to provide the matching funds for this project. That task has been left to others. The Bracks government has a \$170 million Regional Infrastructure Development Fund, but it has heard nothing but whingeing, whining, bleating, carping, barking and moaning from those opposite.

Honourable members interjecting.

Mr BRUMBY — Instead of getting behind policies such as that, groups like the Victorian Employers Chamber of Commerce and Industry (VECCI) have had to call on the federal government to do what the Bracks government is doing in Victoria — —

Mr Ryan — On a point of order, Mr Speaker, the minister is debating the question. The question was devoted particularly to the contrast between seeking the funding on one hand for the \$40 million contribution, he says, to this \$80 million program as opposed to not mentioning anything about similar such funding for the \$810 million projects. That is the point of the question, and I ask you to draw him back to it.

The SPEAKER — Order! The Leader of the National Party has raised a point of order on whether the minister was debating the question. I am not prepared to uphold that point of order. However, I remind the minister of his obligation to answer the question and not debate it.

Mr BRUMBY — It is actually VECCI that has come out and said that Victoria's \$170 million Regional Infrastructure Development Fund is an excellent example of regional infrastructure investment. We want the federal government, we want Howard and Costello to do the same for Australia. We want a \$500 million national infrastructure fund. I am delighted to say on this matter — —

Ms Asher interjected.

Mr BRUMBY — I'll show you. I am delighted to say on this matter that in January of this year there was something of a conversion by the Leader of the Opposition, who is quoted in the *Warrnambool Standard* as saying:

Dr Napthine said that while the state government had committed \$40 million to standardise the rail freight network standardisation — —

Dr Napthine — On a point of order, Mr Speaker, to clarify the situation before the Treasurer — —

Government members interjecting.

The SPEAKER — Order! The government benches will come to order!

Dr Napthine — If the Treasurer cares to read the next edition of the *Warrnambool Standard* he will see a letter saying that the mistake in there he is now going to quote — —

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order!

That is clearly not a point of order.

Mr BRUMBY — I thought at the time when I saw the comments made by the Leader of the Opposition that these were comments that might come back to bite him, and sure enough they will.

But this is what he said, according to the *Warrnambool Standard*:

Dr Napthine said that while the state government had committed \$40 million to standardise the rail freight network standardisation remained in limbo because the federal government had not yet contributed a further \$40 million.

We have got the former Deputy Prime Minister, Tim Fischer, supporting this project, we have got the Bracks government putting the \$40 million on the table, we have got the non-parliamentary National Party in Victoria at its state council supporting this project, we have got the Leader of the Opposition supporting this project, but who is out there still whingeing and whining and talking it down? The good old National Party!

We'll get behind a good thing, get behind this project, get on a plane and go up to Canberra and get your federal colleagues behind this project!

Smoking: bans

Mr HARDMAN (Seymour) — Will the Minister for Health inform the house of the latest action the government is taking to reduce smoking in the Victorian community, particularly among young Victorians?

Mr THWAITES (Minister for Health) — Victorians will be able to breathe easier as a result of the legislation the government will be introducing this week. From 1 November all enclosed shopping centres will be smoke free. That will benefit some 170 shopping centres, 100 000 employees and, of course, many more shoppers.

The latest research shows that about 81 per cent of Victorians want a total ban on smoking in shopping centres. This is a move that is supported by the Property Council of Australia and the Shopping Centre Council of Australia.

The government is also taking a number of other anti-tobacco measures to stop young people being

induced to smoke. I know that members here are very concerned about drug issues; they ought to recognise that every year some four and a half thousand Victorians die of tobacco-related illness.

Offering free gifts such as watches and purses with the sale of cigarettes will be outlawed, and there will be a fine of \$1000 for a first offence and \$10 000 for subsequent offences. Cigarette girls and other mobile tobacco sellers will also be banned from 1 October, as will the sale of single cigarettes.

Our new tobacco unit has had reports of individual cigarettes being sold to young people. Recently the unit received a report of a case involving a teenager who was charged \$1.10 for a single cigarette — \$1 for the cigarette and 10 cents GST. Other cases have involved a milk bar proprietor accepting jewellery or other gifts if the customers could not afford the price of a cigarette. Given that some 80 per cent of people who commence smoking do so as children, we have to do everything we can to stamp that out.

The government will also be outlawing the discount tobacco and cheap cigarette signs that line our shopping strips. They are also an inducement to young people to buy cigarettes because they advertise cheap smokes. We are spending some \$800 000 on a statewide campaign to help inform retailers and the public about these new rules. We are having extensive discussions with retailers, because we want to make sure they are fully informed about the new legislation. We have agreed to extend until 1 January next year the point-of-sale advertising provisions in order to ensure adequate education of and consultation with those retailers. In addition, the state is also providing local government with more than \$1 million for the enforcement of these new anti-tobacco laws.

Ultimately we have to do everything we can to prevent our young people from taking up smoking.

Land tax: self-funded retirees

Dr NAPHTHINE (Leader of the Opposition) — I refer to the Premier's comments this morning that his government's taxation changes will not adversely affect self-funded retirees and, further, to the fact that the government's business taxation report intends to raise land tax bills for rental properties with a value of \$150 000 from \$150 per year to \$4335 per year. Will the Premier advise the house how a \$4185 land tax increase means that the recommendations of the government's business taxation report will not adversely effect self-funded retirees?

Honourable members interjecting.

The SPEAKER — Order! The honourable members for Glen Waverley and Bentleigh.

Mr Batchelor — They are just being loyal.

The SPEAKER — Order! The Leader of the House.

Government members interjecting.

The SPEAKER — Order! Will the government benches come to order!

Mr BRACKS (Premier) — As I said this morning, the government is acutely aware of the damage done to small business by the GST, both in compliance and in liquidity. Therefore, as I indicated this morning, if we make any changes based on the independent report that has been produced by the Harvey committee, we will be acutely aware of the damage done to small business by the federal government. We will ensure that small business and self-funded retirees are advantaged, not disadvantaged, by any change in the future.

Former government: budget sector blow-outs

Mr LENDERS (Dandenong North) — I refer the Treasurer to remarks of the Leader of the Opposition apologising to Victorians for the actions of the Kennett government and ask: is the Treasurer aware of any budget sector blow-outs that should give rise to further apologies from members of the former Liberal-National government?

The SPEAKER — Order! The Chair had difficulty with the latter part of the question. I ask the honourable member to rephrase it.

Mr LENDERS — Is the Treasurer aware of any budget sector blow-outs that should give rise to further apologies from members of the former Liberal and National Party government?

Mr BRUMBY (Treasurer) — I am certainly aware of comments made by the Leader of the Opposition on Sunday last. I am also aware of a large number of cost blow-outs which have been inherited by the Bracks government — decisions of the former Kennett government, voted on in the cabinet room by the Leader of the Opposition and the Deputy Leader of the Opposition, and cost blow-outs for which the taxpayers of Victoria have had to foot the bill.

I will give some examples of those cost blow-outs for which the Leader of the Opposition should be apologising to the people of Victoria. We have the

\$160 million cost blow-out to finish Federation Square — —

Honourable members interjecting.

The SPEAKER — Order! I ask the honourable members for Bennettswood and Sandringham in particular to cease interjecting in that vein.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Polwarth!

Mr BRUMBY — There are a few short-haired pointers over there! We have the \$59 million that the Bracks government had to provide in last year's budget for public transport functions to be retained by the government, the \$40 million cost blow-out to complete the new museum, the \$38.4 million claim by Transurban on Victorian taxpayers for the impact of traffic flows on City Link — —

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Glen Waverley has been called a number of times.

Mr BRUMBY — It is a very long list.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Malvern!

Dr Napthine interjected.

Mr BRUMBY — You have been under a bit of pressure, lately. You should relax!

The SPEAKER — Order! I ask the honourable members for Malvern and Hawthorn to cease interjecting. I ask the Treasurer not to invite interjections across the table and to answer the question.

Mr BRUMBY — These go on and on. But on Sunday last, April Fools' Day, in what was a mea culpa to the people of Victoria the Leader of the Opposition was reported in an article headed 'Kennett lost touch with grassroots, says Napthine' as saying:

We drifted away from the community. We didn't listen as well as we could. We didn't actively go out and seek your views, we didn't actively go out seeking the community's views.

That was Sunday.

Mrs Peulich — Mr Speaker, I am waiting to be turned on!

On a point of order, first and foremost you did — —

Honourable members interjecting.

The SPEAKER — Order! I ask the house to come to order.

Mr Cooper interjected.

The SPEAKER — Order! The honourable member for Mornington!

Mrs Peulich — Firstly, you ruled the first part of the question asked by the honourable member for Dandenong North out of order. Secondly, I draw to your attention previous Speakers' rulings on the conduct of question time. I cite page 128 of *Rulings from the Chair — 1920 to 2000*, which says:

Attacks on opposition are inappropriate. Question time is — —

Honourable members interjecting.

Mrs Peulich — It may be illuminating to some!

I am quoting from a number of rulings by former Speaker Coghill and one ruling by former Speaker Delzoppo.

Question time is an opportunity for ministers to be questioned and provide information on Government administration and should not be used as a vehicle for attacks on the opposition.

The SPEAKER — Order! In raising her point of order the honourable member for Bentleigh cited a previous ruling by Speaker Coghill. I am not prepared to uphold the point of order. I allowed the question from the honourable member for Dandenong North because it sought information about budget sector blow-outs. I will continue to hear the Treasurer along those lines. However, I ask him to cease debating the question or using the question to attack the opposition in the way he was doing.

Mr BRUMBY — Literally hundreds of millions of dollars in cost blow-outs have come from the former Kennett government. There is the \$270 million claim by Onelink. On Sunday it appeared that the Leader of the Opposition was apologising for some of these matters, but then yesterday the former Liberal Party Treasurer, Ron Walker, said:

If Denis Napthine can't regain the high ground himself without criticising Jeff Kennett then maybe he shouldn't be leader.

Honourable members interjecting.

The SPEAKER — Order!

Mr McArthur — On a point of order, Mr Speaker, I listened carefully to your advice to the Treasurer about 2 minutes ago when you said you would continue to hear him so long as he restricted himself to the question that was asked about budget blow-outs but that you would no longer hear him if he strayed down the path of debating the question. It seems to me and to many in the chamber, Mr Speaker, that he is now flouting the latter part of your ruling. I ask you to draw that to his attention.

The SPEAKER — Order! I am not prepared to rule in favour of the point of order.

Opposition members interjecting.

The SPEAKER — Order! The honourable member for Doncaster!

I am not prepared to rule in favour of the point of order because the Chair was not in a position to hear the point the Treasurer was making. I ask him to come to it quickly.

Mrs Peulich — What has Ron Walker got to do with the blow-out?

Mr BRUMBY — I am coming to that. These were the comments of Ron Walker. It goes to the question of the apology, because later that day, and repeated today, the Leader of the Opposition — —

Mr Ashley — On a point of order, Mr Speaker, I ask you to rule against the Treasurer for continuing to deny your ruling in spirit and to abuse question time.

The SPEAKER — Order! I do not uphold the point of order.

Mr BRUMBY — Later that day and reiterated this morning the opposition leader — —

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order!

Mr BRUMBY — Later that day and reiterated this morning the opposition leader said of the former Premier:

He ... was an outstanding Premier and I was very proud to be part of his government.

The Leader of the Opposition nods his head, but it is a bit different from the comments he made on Sunday.

Honourable members interjecting.

Dr Dean — On a point of order — —

Mr Robinson interjected.

The SPEAKER — Order! The honourable member for Mitcham!

Dr Dean — On a point of order, Mr Speaker, you have made it quite clear that the Treasurer should not debate the question. The question was clearly in relation to budget overruns. We are now hearing the Treasurer's fantasies about Mr Kennett and a whole lot of other issues. Clearly he is not answering the question but is debating it. Therefore, I ask you, Mr Speaker, in line with your previous statements to the Treasurer on this matter, to ask him to stop debating the question.

The SPEAKER — Order! I uphold the point of order. The Treasurer is now debating the question, and I ask him to come back to answering it. The Treasurer has indicated that he has concluded his answer.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Mornington!

Land tax: small business

Ms ASHER (Brighton) — My question is to the Treasurer.

Honourable members interjecting.

The SPEAKER — Order! The house will come to order!

Ms ASHER — I refer to an independent report written by the Australian Property Institute which states that the land tax changes recommended in the government's business taxation report will increase rents and quash smaller scale business and property investment in Victoria. Will the Treasurer now rule out this billion dollar land tax grab?

Mr BRUMBY (Treasurer) — You have had a few bad weeks.

The SPEAKER — Order! I ask the Treasurer to assist with question time by not answering and inviting interjections from the Deputy Leader of the Opposition but by answering the question through the Chair.

Mr BRUMBY — The file is so big I could hardly bring it into the house — for example, ‘Liberals go looking for leadership’, ‘Liberals carpeted after stoush in the house’, ‘Trouble in opposition ranks’, ‘Asher facing a battle’, ‘Relationships bill — how the Liberals lost the pink vote’, ‘Liberal deputy feels out in the cold’, ‘Anatomy of a Liberal true blue — —

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order! I ask the Treasurer to come back to answering the question.

Mr BRUMBY — The fact is that it is a stupid question.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Berwick! I have already warned the honourable member for Mordialloc on a number of occasions.

Mr BRUMBY — The Bracks government has not changed one iota or one letter of the law relating to land tax. Every increase being experienced by Victorians in land tax — —

Honourable members interjecting.

Mr BRUMBY — You know whose land tax policy it is? Yours! You know who put it in place? The Leader of the Opposition and the Deputy Leader of the Opposition!

People with \$100 000 worth of investment property are paying land tax because of the policies of the former Kennett government. People are paying land tax increases that are not capped because of the former Liberal government. Who voted in favour of the land tax changes? The Leader of the Opposition and the Deputy Leader of the Opposition. What extraordinary hypocrisy! Some people are without shame.

Mr McArthur — On a point of order, Mr Speaker, I draw your attention to sessional orders, the rulings in the house, standing orders and the Premier’s commitment to the three Independents, all of which provide advice to the Treasurer — that is, that he should constrain himself to answering and being relevant to the question and not debate it. He should be succinct in his answer, which is required by sessional orders, and he should be direct and factual in his responses, which the Premier has committed all of his ministers to doing under the charter. I ask you, Mr Speaker, to bring him back to the question.

The SPEAKER — Order! I have already asked the Treasurer to come back to answering the question. I do so for the second time.

Mr BRUMBY — The government is considering the report, and as the Premier has made clear today, its response will be good news for small business.

The opposition is the high tax expert in the state, increasing tax in the Kennett years by 50 per cent. The Bracks government has made a commitment to tax reductions, and it is looking at the independent report. As the Premier made clear today, you are barking up the wrong tree!

The SPEAKER — Order! The Treasurer, through the Chair!

Mr BRUMBY — This will be a good outcome for small business.

Buses: upgrades

Ms BEATTIE (Tullamarine) — I refer the Minister for Transport to plans to upgrade Victoria’s private bus fleet and ask him to inform the house whether this initiative was properly accounted for by the previous Kennett government in the forward estimates of the budget?

Mr BATCHELOR (Minister for Transport) — As honourable members will know, bus services in Victoria are delivered by private bus companies, which are subsidised by large government payments. The bus services are provided in three broad categories — metropolitan route services, country route services and school bus services.

There are approximately 3500 buses in the bus fleet. In 1998 and 1999 the Kennett government entered into a series of 10-year contracts with the private bus operators to upgrade the bus fleet. Under the contracts the government will fund the purchase of new buses to replace the older ones that are currently in operation. It will provide for new low-floor buses and airconditioning and will help meet the requirements of the commonwealth’s Disability Discrimination Act.

Not surprisingly, this will impose significant additional costs on the Victorian budget. I have received advice that the additional cost of the bus replacement over four years is \$110 million and that at the end of the 10-year contract it will be \$330 million.

Despite that the previous government failed to make any allowance for those significant costs in its forward estimates. It is another example of the previous

government's appalling mismanagement. It proves that the Kennett government was never really serious about delivering this important program of upgrading and modernising the Victorian bus fleet.

It is the same old story. As soon as one scratches the surface of the previous government one finds again and again sloppy financial management and a failure to get the fundamentals right.

Dr Napthine interjected.

Mr BATCHELOR — The Leader of the Opposition is laughing at the huge bungle. He should be apologising for the mess he left behind. With the Deputy Leader of the Opposition he sat around the cabinet table. They sat around the cabinet table and were part of this. They failed to contribute. They did whatever the previous leader of the Liberal Party said.

Unlike the previous government, the Bracks government is committed to good financial management. It is also committed to delivering improved public transport services. The government will fund the necessary upgrade of the buses and will look after the travelling public. The government will make the necessary adjustments to the budget forward estimates. It will work with the bus industry to ensure that the bus fleet is upgraded in a timely and efficient manner to meet the needs of disabled and elderly passengers and all other public transport users.

Hospitals: funding

Mr DOYLE (Malvern) — I ask the Minister for Health to confirm that as a result of the government's changes to hospital funding and the impact of the nurses award, up to 30 of the 35 D and E hospitals, our smallest rural and regional hospitals, are now in serious financial deficit.

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Frankston East!

Mr THWAITES (Minister for Health) — I thank the honourable member for Malvern for his question. When the Leader of the Opposition referred to his party members as dogs because they are so loyal, I wondered whether he included the honourable member for Malvern. Did he include the loyal honourable member for Malvern? I am sure he did not!

The government is doing what hospitals have sought for years — that is, employing more nurses. The government is doing what doctors and nurses have said

is needed — putting on extra nurses to give better care to patients. The government has been more successful in employing those extra nurses than it predicted. It has more than 11 000 nurses in place already. Those nurses have come back into the system because they want to work in the Bracks government hospital system. Hospitals have wanted that for years, and the government is proud of it. Government members loyally support our leader in building a better Victoria.

An honourable member interjected.

Mr Doyle — He may well be, but he still has to answer the question. On a point of order on a mixture of debating and relevance, Mr Speaker, the question was not about the recruitment of nurses, it was about the serious financial deficits of rural and regional hospitals.

The SPEAKER — Order! That is not a point of order. The honourable member for Malvern is simply repeating his question. Has the Minister for Health concluded his answer?

Mr THWAITES — Yes.

Schools: class sizes

Ms OVERINGTON (Ballarat West) — I refer the Minister for Education to the government's commitment to reduce class sizes in the crucial early years and its \$137 million boost to Victorian schools, and I ask her to advise the house how that boost in funding has reduced class sizes across Victorian primary schools.

Ms DELAHUNTY (Minister for Education) — I thank the honourable member for Ballarat West for her question. She is quite right; \$137 million is a serious investment in the early years, and as we have seen from the figures, we are paying dividends on that investment.

The government identified a need. What was that need? Ballooning class sizes under the Kennett government. The government took a pledge to the election — —

Mr Cooper interjected.

The SPEAKER — Order! I ask the honourable member for Mornington to cease interjecting.

Ms DELAHUNTY — The government targeted the investment the minute it came to office. Now, the figures just released by the Department of Education, Employment and Training show that the government is delivering on the promise it took to the election.

It is a four-year plan to bring down class sizes from prep to grade 2 to an average of 21. Already, after less than 18 months in office, the government has hit the target in prep. Bullseye!

Opposition members interjecting.

Ms DELAHUNTY — We can hear the chihuahua over there bleating about this, because the big picture is even better. Despite the bleating and the barking of the opposition, and the chihuahuas, and despite the misrepresentation of the shadow Minister for Education, the big picture shows that class sizes on average at every primary school level are coming down!

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Narracan!

Ms DELAHUNTY — What you are seeing is that class sizes are coming down and reading levels are going up. This government delivers! I know the opposition, particularly the shadow Minister for Education, has trouble counting the numbers. He certainly can't read the figures! He can't count the numbers in the party room and he isn't reading the figures terribly well.

He has been playing the role of the spoiler. Despite the fact that he said last year that this class sizes policy is good policy — and the people of Victoria think it is good policy — this year the opposition is trying to bully schools and spoil the good news that Victoria's schools are now enjoying.

We have heard about Alexandra Primary School. Alexandra Primary School has average class sizes of 21.

However, the shadow Minister for Education went on radio and deliberately and seriously misrepresented those class sizes at the Alexandra Primary School, despite — —

Government members interjecting.

The SPEAKER — Order! Will the government benches come to order!

Ms DELAHUNTY — Despite speaking to the principal to obtain the true facts on the class sizes at Alexandra Primary School the night before, the shadow minister went on radio and seriously misrepresented class sizes at that school. The principal had to repair the damage and set the matter right by also going on radio.

The Leader of the Opposition called on the shadow minister to apologise!

Opposition members interjecting.

The SPEAKER — Order! Will opposition members come to order!

Ms DELAHUNTY — He said — —

An opposition member interjected.

Ms DELAHUNTY — You had better withdraw that! I am told he said to the principal either that the shadow minister tells porkies or that he is a bad note taker.

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order! The Minister for Education should return to answering the question.

Ms DELAHUNTY — Class sizes are a good story for Victoria. If you examine — —

Honourable members interjecting.

The SPEAKER — Order! The honourable member for Dromana!

Ms DELAHUNTY — He is embarrassed about Alexandra Primary School — but there is more, Honourable Speaker. A lovely little school at Ballarat called Magpie Primary School has an average class size of 15.5. The shadow Minister for Education sought an opportunity to visit the school.

A staff member from the office of the Leader of the Opposition telephoned the school and requested an opportunity for the shadow minister to visit.

Honourable members interjecting.

The SPEAKER — Order! The Minister for Agriculture!

Mr Honeywood — On a point of order on the issue of relevance, Mr Speaker, while I appreciate the Minister for Education giving a travelogue of the schools I visited, I ask that you bring her back to the point of the question, which was to do with class sizes. Magpie Primary School has nothing to do with class sizes.

Honourable members interjecting.

The SPEAKER — Order! Will the house come to order! The honourable member for Richmond!

Mr Honeywood — It is about the trade unions saying that the shadow minister cannot visit a school.

The SPEAKER — Order! I do not uphold the point of order. However, I ask the Minister for Education to return to answering the question, which related to class sizes in Victorian primary schools.

Ms DELAHUNTY — The question was about class sizes. I am sure the parents of the students at Magpie Primary School will be interested to hear the comment of the shadow minister. The average class size at Magpie Primary School is 15.5. The parents were not impressed when the shadow Minister for Education snuck down to the school, underneath the bushes, without permission, to get a photograph while alleging he was banned.

The SPEAKER — Order! The time for questions without notice has expired, and the minimum number of questions have been dealt with.

RULINGS BY THE CHAIR

House Committee: sittings

The SPEAKER — Order! During the last sitting week a point of order was taken by the honourable member for Preston concerning the meeting of the information technology subcommittee of the House Committee. On 20 March, I indicated in my initial ruling on his point of order that I would report further to the house after I had examined the standing orders and the resolution appointing the committee.

The House Committee was appointed by resolution on 14 December 1999. By resolution of the house on 29 February 2000 leave was granted to enable the committee to sit within the parliamentary building during the sittings of either house but not while either house was sitting.

I reiterate my initial comments and confirm that every meeting of the House Committee has been held during the lunch hour. Given that neither house has been sitting during those periods, the meetings have been held wholly in compliance with the resolution made by the house.

Under section 46(1A) of the Parliamentary Committees Act the House Committee was given authority to advise the Speaker and the President on the management of parliamentary services, including information technology. To assist in fulfilling this obligation it is correct that the information technology subcommittee

has been formed to provide advice to the House Committee and the Presiding Officers.

This subcommittee normally meets on an informal basis during sitting hours to formulate such advice. Members of the information technology subcommittee have indicated that they wish to continue to meet on an informal basis, and as there have been no complaints from them I see no reason to change the present arrangements.

Documents: availability

Honourable members will recall that during question time on 21 March the Treasurer made available to the house his briefing note concerning state business investment data. The honourable member for Monbulk subsequently raised a point of order stating that the Treasurer had been holding a file of documents and that such file should be produced also.

In accordance with my indication to the house at that time I have examined the *Hansard* report covering the Treasurer's quotation from the document and I have also read the briefing note that was made available.

I am satisfied from the record that the briefing note appears to be the document from which the Treasurer was quoting. Further, there is no indication at all that when the Treasurer was quoting from the document it was part of an attached file. I accordingly rule that the Treasurer has complied with the requirement to make the document he was quoting from available to the house and that no further action is required.

Mr Wells — On a point of order, Mr Speaker, in regard to the call of the house, the opposition was told last week that the Minister for Corrections would be giving notice about home detention. I am wondering whether he has missed the call to introduce it.

The SPEAKER — Order! There is no point of order. Notices were called and all honourable members were given an opportunity to give notice.

PERSONAL EXPLANATION

Mr PANDAZOPOULOS (Minister for Gaming) — When responding to an adjournment issue raised by the honourable member for Bendigo East on 21 March I inadvertently provided incorrect information to the house while detailing a Tourism Victoria grant to the Bendigo Easter Fair. I also referred to a \$25 000 grant from Vichealth. This figure, provided to me in writing by my department, was incorrect. The correct amount is \$6000.

PETITIONS

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

Rail: Hastings crossing

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

The humble petition of the undersigned citizens of Victoria sheweth that the railway level crossing at Hodgins Road, Hastings, is dangerous and in urgent need of the installation of boom gates.

Your petitioners therefore pray that the government install boom gates immediately at this level crossing before an accident claims lives.

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

By Mr COOPER (Mornington) (270 signatures)

Frankston–Flinders, Dandenong–Hastings and Denham road intersection: safety

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

The humble petition of the undersigned citizens of Victoria sheweth that we are gravely concerned about the extreme danger of the intersection of Frankston–Flinders Road with Dandenong–Hastings Road and Denham Road in Tyabb.

Your petitioners therefore pray that urgent action be taken to make this black spot intersection safer before any more lives are lost at the location.

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

By Mr COOPER (Mornington) (269 signatures)

Laid on table.

Ordered that petitions presented by honourable member for Mornington be considered next day on motions of Mr COOPER (Mornington).

NATIONAL CRIME AUTHORITY

Annual report

Mr HAERMAYER (Minister for Police and Emergency Services), by leave, presented report for 1999–2000.

Laid on table.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 3

Ms GILLETT (Werribee) presented Alert Digest No. 3 of 2001 on:

Barley Marketing (Amendment) Bill
City of Melbourne Bill
Corporations (Commonwealth Powers) Bill
Parliamentary Precincts Bill
State Owned Enterprises (Amendment) Bill

together with appendices.

Laid on table.

Ordered to be printed.

PAPERS

Laid on table by Clerk:

Crown Land (Reserves) Act 1978 — Section 17DA Orders granting under s 17D leases by:

Hindmarsh Shire Council (two Orders)
 Parks Victoria

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to Statutory Rule Nos 11, 15.

Planning and Environment Act 1987: Notices of approval of amendments to the following Planning Schemes:

Baw Baw Planning Scheme — No C2
 Colac Otway Planning Scheme — No C7
 Macedon Ranges Planning Scheme — No C1
 Swan Hill Planning Scheme — No C1
 Victoria Planning Provisions — No VC11

Statutory Rules under the following Acts:

Heritage Act 1995 — SR No 23

Victorian Civil and Administrative Tribunal Act 1998 — SR No 24

Water Act 1989 — SR No 22

Subordinate Legislation Act 1994 — Minister's exception certificate in relation to Statutory Rule No 24

Wildlife Act 1975 — Wildlife (Control of Hunting) Notice Nos 2, 3 and 5/2001

The following proclamations fixing operative dates were laid upon the Table by the Clerk pursuant to an Order of the House dated 3 November 1999:

Crimes at Sea Act 1999 — Whole Act on 31 March 2001 (*Gazette G13, 29 March 2001*)

Essential Services Legislation (Dispute Resolution) Act 2000 — Whole Act on 13 April 2001 (*Gazette G13, 29 March 2001*)

Gambling Legislation (Miscellaneous Amendments) Act 2000 — Section 30 on 22 March 2001 (*Gazette G12, 22 March 2001*)

Gaming No. 2 (Community Benefit) Act 2000 — Section 8 on 29 March 2001 (*Gazette G13, 29 March 2001*)

Heritage (Amendment) Act 2000 — Whole Act on 1 April 2001 (*Gazette G12, 22 March 2001*)

Victorian Law Reform Commission Act 2000 — Whole Act on 6 April 2001 (*Gazette G13, 29 March 2001*).

ROYAL ASSENT

Message read advising royal assent to **Health Services (Amendment) Bill**.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Parliamentary Precincts Bill
State Owned Enterprises (Amendment) Bill

BUSINESS OF THE HOUSE

Orders of the day

Mr BATCHELOR (Minister for Transport) — By leave, I move:

That the order of the house making the resumption of the debate on the second reading of the Parliamentary Precincts Bill an order of the day for Thursday, 5 April, be read and rescinded and that it be made an order of the day for this day.

Mr McARTHUR (Monbulk) — The Liberal Party supports the motion on the basis that it seeks to assist the government in providing a speedy passage of the legislation through both this and the other place in order to have the legislation proclaimed in time for the centenary of Federation celebrations.

Mr RYAN (Leader of the National Party) — The National Party endorses the view taken by the Liberal Party.

Motion agreed to.

Program

Mr BATCHELOR (Minister for Transport) — I move:

That, pursuant to sessional order 6(3), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 5 April 2001:

Statute Law Amendment (Authorised Deposit-taking Institutions) Bill
Professional Boxing and Martial Arts (Amendment) Bill
Water (Amendment) Bill
Constitution (Supreme Court) Bill
Prostitution Control (Proscribed Brothels) Bill
Whistleblowers Protection Bill
Parliamentary Precincts Bill
City of Melbourne Bill.

Mr McARTHUR (Monbulk) — The house will be able to deal adequately with the eight bills included in the government business program this week, given that only two are likely to excite extensive debate — that is, the City of Melbourne Bill, which I imagine will incite some comment by government members, and presumably the Whistleblowers Protection Bill.

However, I draw the government's attention to the parlous state of the notice paper for coming weeks and remind the government of its need to manage the legislative program of the house. Once these eight bills are passed through the house by the end of this week only the Statute Law (Amendment) Relationships Bill and the State Owned Enterprises (Amendment) Bill will remain on the notice paper. Today the government gave notice of only six bills, therefore when the house resumes in three weeks time only eight bills will appear on the notice paper for further debate.

I hope the government does not expect the opposition to assist it in getting legislation into the house with less than the standard two-week adjournment when we resume. The government has had plenty of opportunity to organise its business program over the Christmas break and an unpressured first two or three weeks of the autumn sittings. It has been entirely in the government's hands to have adequate legislation ready to keep the house productively occupied for the whole of the autumn sittings.

The government should not expect other members to accede to requests for adjournments of less than two weeks, which would be unfair to both members of this place and members of the public. After all, once legislation is tabled and the second-reading speech has

been given the opposition is expected to take it out of this place and consult with members of the public, organisations and authorities that might be affected by it. To do so in less than two weeks is almost always an impossible task.

I seek an assurance from the Leader of the House that such requests will not be made in coming weeks. In the absence of an assurance on that matter, I put on record that the Liberal Party will not easily agree to any such request.

Mr RYAN (Leader of the National Party) — The National Party accepts the business program as outlined by the Leader of the House, although it will want to comment on aspects of its general conduct in due course. The party accepts the program detailed by the Leader of the House as appropriate for this week.

Motion agreed to.

MEMBERS STATEMENTS

Agriculture: anthracnose

Mr McARTHUR (Monbulk) — The issue I would like to raise in the house today concerns a decision apparently made by the Department of Natural Resources and Environment. I had a brief moment to mention this to the Minister for Agriculture before question time, and he assured me that he is aware of it.

The issue relates to a decision to allow 3000 tonnes of diseased lupins to be transported from South Australia to Horsham for processing. This is an extremely significant problem for the grain and pulse-growing areas across the state, particularly in the Wimmera. Apparently a permit has been given to a Horsham company to allow that grain to be transported. The disease anthracnose is a very serious disease in lupin crops. I understand that the proposed route goes past existing standing crops of lupins and that therefore the risk of transmitting or spreading the disease into Victoria, where it does not yet exist, is significant.

I ask the minister to take up the matter urgently and to assure Victorian farmers that there is no possibility — I repeat, no possibility — of bringing this disease from South Australia into Victoria as a result of this process. I also seek an assurance from the company concerned that it will underwrite the costs of eradication or control should the disease be introduced by this process.

Workcover: common-law claims

Mr KILGOUR (Shepparton) — I wish to advise the house of an issue I became aware of last week in New South Wales where I was visiting with the parliamentary Road Safety Committee. I picked up the *Sydney Morning Herald* and saw something Victorians should really take note of. Under the headline ‘Workcover blows out again, but on lawyers’ the article reads:

Injured workers will be encouraged to stay out of court in a bid to rein in Workcover NSW’s deficit, which has blown out to \$2.18 billion, an increase of \$540 million in only six months.

Lawyers now earn almost as much as injured workers from Workcover, taking \$422 million a year compared with \$438 million in benefit payments.

The article states:

The state Minister for Industrial Relations, Mr Della Bosca ... singled out increasing legal costs as the major problem ...

It goes on to say:

While the incidence of claims has been falling since 1995–96, legal costs have risen 50 per cent. Last year, 1700 workers — only 1 per cent of those injured — went to court, yet common-law claims accounted for \$410 million in Workcover payments.

I warn the Minister for Workcover that he needs to take a good account of what has happened in New South Wales and give an undertaking that this will not happen in Victoria. We know it will but —

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member’s time has expired.

Australian Denizli Association

Mr LANGUILLER (Sunshine) — On Sunday, 4 March, 2001, I had the honour to represent Premier Bracks at the opening of the Australian Denizli Association community centre, which was also attended by the Turkish Republic Consul-General, Mr Deniz Ozmen. Although the Australian Denizli Association was incorporated only late last year, the opening of the centre is the result of many years of hard work. On behalf of Premier Bracks I extended congratulations to Mr Sadik Sozer, the president, Mr Gurkan Capar, the secretary and Mr Sucettin Unal, the treasurer, who have been instrumental in setting up the organisation. I am certain that the organisation’s hard work and commitment is clearly recognised by the Turkish-speaking community of Victoria.

It is important to acknowledge that the association provides important social and welfare services and actively promotes the positive aspects of our diverse multicultural society. Turkish Australians are an important characteristic of Victoria's cultural diversity. As many as 120 000 Australians are of Turkish-speaking backgrounds, and they include those from second and third generations. For many years now Turks have formed community groups and social clubs, developing a thriving cultural and community life. All this positive activity has further enhanced Victoria as the most multicultural Place to Be.

It is my strong belief — indeed, the government's policy — that both the needs and the benefits of maintaining Turkish culture are recognised and promoted. The Australia Denizli Association is committed to promoting tolerance and positive relations between the Turkish communities and other sections of our community.

The ACTING SPEAKER (Mr Lupton) — Order!
The honourable member's time has expired.

Frankston: mayor

Mr ROWE (Cranbourne) — I wish to raise a matter relating to the Frankston council and the re-election of Mr Mark Conroy as its mayor. This is blatant politicisation of the Frankston council by the Labor Party. The council is dominated by the Labor Party, and Cr Conroy has done nothing but promote himself as the candidate for Dunkley for the forthcoming federal election.

This is a man who feigns financial constraint yet spends council money on political stunts. This is also a man who receives \$32 000 from the council as mayor, \$19 000 from the Parliament of Victoria as a part-time parliamentary officer of Mr Bob Smith in another place and God knows how much money as a casual employee of the honourable member for Frankston East!

This is an absolute disgrace. This man, Mark Conroy, has not done anything for the people of Frankston in the 12 months he has been there. He is saying to the people of Frankston that he is not using his mayoral position to advance his political career, yet he will stand down at the time of the federal election. This man is doing nothing more than using taxpayers' money from the Parliament of Victoria and from Frankston council ratepayers to line his own pockets and to pay for him to be a full-time candidate for the next federal election while doing nothing for the people of Frankston in the process.

The member for Dunkley — —

The ACTING SPEAKER (Mr Lupton) — Order!
The honourable member's time has expired.

Sunbury Fair

Ms BEATTIE (Tullamarine) — Last Saturday the Sunbury fair was held; I am a patron of that fair. My thanks goes to the organising committee for doing a wonderful job. The day brings the whole Sunbury community together to celebrate. Groups such as the Kiwanis, Rotary, Country Fire Authority, State Emergency Service, various schools, kindergartens, scouts and even the pony club participate. The major sponsors, Hume City Council, Anraos Brothers Winery, ULC, Sunbury Village Traders and 25 other minor sponsors are generous donors to the eventful day.

The pubs, clubs and traders race; my own Liz Beattie Team shared first prize. It was decided that we would donate our entire winnings to the SES towards the purchase of a new truck. Another great feature of the evening was the torch light parade, in which CFA units from around the state marched. The evening ended with a real bang with a great fireworks display. A fun time was had by all.

Forests: industry review

Mr INGRAM (Gippsland East) — The issue I raise relates to the current debate on the sustainable yield of the timber industry. The minister's task force conducted a review to assess the sustainable yield of the timber industry and to report back within three months. I point out to the house and to the minister that it is essential that the review is finalised within three months and that the minister's decision is not prolonged after that as that would give rise to further uncertainty within the timber industry. Investment would be curtailed, and the certainty regarding the industry in the future would be at serious risk.

Another issue facing the timber industry at the moment is the ongoing matter of the Forest Industry Structural Adjustment Program (FISAP) funding and the fact that the funds have not been paid. Recently Wilson Tuckey, the federal minister for forestry, was in the area and he indicated that he had a large amount of money to spend on the FISAP and that he would give the money to industries for their restructuring. I point out to Ministers Tuckey and Garbutt that it is essential that the money is delivered to those industries that are ready to restructure. They can restructure — —

The ACTING SPEAKER (Mr Lupton) — Order!
The honourable member's time has expired.

Frankston: mayor

Ms McCALL (Frankston) — I put on the record, along with the honourable member for Cranbourne, my disappointment at the re-election of Mark Conroy as the mayor of Frankston City Council. I mourn for the people of Frankston and the district. This is the first time in Frankston's history that democracy has been put into such doubt, with a man with a vote of four to three in council re-elected for a platform for the federal election to be held later this year. This is an outrageous misuse of the Frankston City Council, the councillors and the community of Frankston.

Most of the other six members of council are unknown to the community because the council has gone out of its way to promote only the mayor. I would be interested to know just how much documentation the council has issued promoting the mayor and his self-aggrandisement as the Labor-endorsed candidate for Dunkley, where he will challenge the exceptionally hardworking Liberal member Bruce Billson.

It is a gross misuse of a democratic process to use council elections and back-to-back mayoralities to promote himself, to misuse his position and to misrepresent the Frankston community. The people of Frankston deserve far better from their councillors. They deserve a greater representation from the other six councillors. I say shame on Mayor Conroy!

Chinese Masonic Society

Mr LIM (Clayton) — I place on the record the tremendous contribution to charity by one of the oldest community organisations in Victoria. On 5 March this year I attended the 104th Chinese New Year celebration banquet organised by the Chinese Masonic Society of Victoria.

Being 104 years old, it is not only the oldest Chinese community organisation in Victoria but also the oldest one in the community generally. What is significant about the celebration is that for the past 79 years — going back to 1922 — the Chinese Masonic Society has raised and donated funds to the Royal Children's Hospital, the Royal Women's Hospital and the Royal Melbourne Hospital.

Each year, on the occasion of the banquet celebrating the Chinese New Year, cheques are presented to representatives of the hospitals. It is in keeping with age-old Chinese tradition to demonstrate one's generosity on Chinese New Year's Day by donating generously to the community — that is, if you are successful in business, of course.

I have no doubt that many Chinese organisations have been well supported by the Chinese Masonic Society going back to its inception 104 years ago, but since 1922 the three hospitals have been the beneficiaries.

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member's time has expired.

Denso Manufacturing

Mr WILSON (Bennettswood) — Denso Manufacturing, a major automotive component company, has advised the Victorian government that it is closing its Altona plant with all production ceasing at the end of June. The Altona closure is due to consolidation of the company's manufacturing operations. The company believes it is able to supply its customers from its other three facilities in Victoria.

The closure of the Altona factory will see up to 170 Victorians out of a job. I am aware that the company has made the effort to provide outplacement and counselling services for those made redundant. Now is the time for the Minister for Post Compulsory Education, Training and Employment, who is also the honourable member for Altona, to demonstrate that her government and department can deliver real and worthwhile employment and training solutions for her constituents. What will the minister do to ensure that her constituents are retrained and immediately re-employed? Perhaps the minister should give immediate consideration to using some funds under the 2001 priority education and training program or any other appropriate scheme.

The minister's rhetoric in this house on 16 September 2000 was that there would be more money for training in other industries and she specifically mentioned the automotive industry. The minister's constituents will be looking to see the colour of the government's money.

Mental illness: media reports

Mr LEIGHTON (Preston) — As one who before entering this place worked professionally and industrially in psychiatric services, I express my concern at recent media reporting and lack of understanding of the nature of mental illness. I refer to the recent headline 'Deranged killer on the loose'. The person referred to may have been a convicted killer on the loose but it is the use of the word 'deranged' that gives me concern.

I will not comment on the circumstances of Neville Garden absconding, nor is it appropriate to comment on whether he should be on day release because that is being reviewed, but I am concerned about the lack of

sensitivity in reporting psychiatric illness. Schizophrenia is a dreadful illness. It is chronic and debilitating and in its acute stage paranoid schizophrenia must be frightening. I have certainly observed that at Royal Park.

I would hope in 2001 we could show greater sensitivity and compassion than was shown by the media in recent reports. Honourable members who were here 10 years ago would recall when Parliament had to deal with Garry David because there had been no attempt to rehabilitate him during his imprisonment. We suddenly discovered he was due for parole and we had a major problem on our hands. It is important that we are prepared to do more — —

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member's time has expired. The honourable member for Evelyn has 17 seconds.

Disability services: student transport

Mrs FYFFE (Evelyn) — I wish to bring to the attention of the house the plight of a beautiful young girl at Warburton. She is only 10 years of age; she is legally blind and cannot get funding to travel to the Blind Institute school by taxi. The department says it will pay 50 per cent of the taxi fare if it is under \$50; it costs \$75 — —

The ACTING SPEAKER (Mr Lupton) — Order! The honourable member's time has expired. The time allowed for members statements has expired.

BUSINESS OF THE HOUSE

Notices of motion

Mr HAERMEYER (Minister for Police and Emergency Services) — I move:

That notices of motion 1 to 5 inclusive be postponed until later this day.

Mr RYAN (Leader of the National Party) — The National Party is opposed to the motion. Since the Labor government was elected in October 1999 we have had on the notice paper under the heading 'government business' five notices of motion in the names of the Premier, the Attorney-General, the Minister for Health, the Minister for Education and the Minister for Police and Emergency Services.

The matters touched on in those notices of motion were put there on the pretext of relating to issues that are pertinent to the interests of country Victorians. The National Party agrees that the content of those notices

of motion is just that: it is related to issues that are pertinent to the interests of country Victorians.

National Party members want to convey the message to the government that it is not good enough that those notices of motion under government business can continue to sit there without actually being pursued. We believe it is appropriate that in the interests of country Victorians in particular those respective notices of motion should be the subject of debate, and we call upon the government to withdraw the motion before the house and to proceed with the process of dealing with these notices of motion because they are of great importance to country Victorians.

I will amplify my comments by referring to the content of some of the notices of motion. In so doing I emphasise that I am conscious that the Attorney-General is ill and is not here this week. The National Party respects that, and might I say as an aside that we wish him a speedy recovery. The last thing anyone would wish is that a member of the house suffers illness, or that any illness be suffered by members of their family. So having regard to that fact it is not the second of the notices of motion that we are particularly concerned to press. However, I will make reference in passing to a couple of elements that are contained in that particular notice.

The one to which I wish to address most of my comments is that in the name of the Premier where he expresses concern about the purported decline in services and infrastructure in rural and regional Victoria and congratulates country Victorians for standing up for their local communities by seeking to stop the decline and supporting policies that will revitalise their communities.

The practical fact is that country Victorians are increasingly saying exactly that about this government. Country Victorians in their discussions with me are making it very clear that they want the Bracks government to get on with the fulfilment of the promises which Labor made before it took over the reins of the state in October 1999. They are saying that in an absolute raft of areas the promises that were made are unfulfilled today and in many instances have absolutely no prospect of being fulfilled. One specific area was the subject of a question which I asked of the Minister for State and Regional Development this very day.

Mr Haermeyer — On a point of order, Mr Acting Speaker, the Leader of the National Party is opposing a procedural motion before the house. As such he may be entitled to touch on some of the items relating to that

procedural motion but he should not enter into the substance of the debate on any of the notices of motion that are proposed to be postponed, which he is now doing.

Mr RYAN — On the point of order, Mr Acting Speaker, this is, as the minister has indicated, a procedural debate, but it relates to the notices of motion under government business on the notice paper — in other words, they have been put there by the government. I refer specifically to notice of motion 1, which relates to services and infrastructure in rural and regional Victoria. I am highlighting the urgency of having these issues discussed. It is entirely appropriate that I be able to refer to them specifically, and I ask you to rule this point of order out of order.

Mr Mildenhall — On the point of order, Mr Acting Speaker, it is clear that the motion we are debating is related to whether or not these notices of motion be debated now or postponed to a later time. It may be appropriate for passing references to be made to identify these motions, but it is certainly not appropriate to refer to their substance or to debate any of their details. The motion is only about whether notices of motion 1 to 5 should be debated now or at some later stage.

Mr Cooper — On the point of order, I can understand that the honourable member for Footscray would not want the details of these five notices of motion to be canvassed, but it is absolute nonsense for the minister and the honourable member to say that the Leader of the National Party cannot make some reference to them. We are dealing with a motion that debate on these matters be deferred. The Leader of the National Party is opposing that, and in doing so he is entitled to —

A government member interjected.

Mr Cooper — If you don't want to listen, I will wait until you are prepared to.

What the Leader of the National Party should be able to do — and under the standing and sessional orders he is entitled to do so — is point out why it is important that each of these five notices of motion should be debated and not just be again pushed aside and left to sit on the notice paper. I was listening carefully, Mr Acting Speaker, and that is what the Leader of the National Party was doing. He was not debating the substance of these matters, although it would be attractive for him and any other honourable members on this side to do that.

If the minister had been listening to the Leader of the National Party instead of wondering about what was going on in his part of the world, he would have heard him state the reasons why these particular matters are important and should be brought on for debate straightaway. He was making the valid point — and government members should reflect on it — that country people feel let down because matters with which the notices of motion deal and which the government thought were of such grave importance in late 1999 are no longer important to it. The government has put these matters aside and is prepared to let them sit on the notice paper even though members of the opposition want to debate them.

The point of order raised by the Minister for Police and Emergency Services is spurious and you should deal with it as such.

The ACTING SPEAKER (Mr Lupton) — Order! I find that the Leader of the National Party has been relevant and succinct, which is not common among some other members in this house. I do not uphold the point of order.

Mr RYAN — I appreciate the government's sensitivities, because these issues are pertinent to country Victorians — and despite all its rhetoric, this government does not care about country Victorians. Last week I spent three days in various locations in the south-west of Victoria, talking to people and listening to their concerns. The simple fact is that after its first 18 months in government people are telling me that they are absolutely astounded by Labor's lack of activity, particularly having regard to the many promises it made. Before I was interrupted by the minister, I was pointing out one example of that, which is precisely on the point given that notice of motion 1 talks about infrastructure.

People are telling me that there is an urgency about the infrastructure project about which I asked a question of the Minister for State and Regional Development during question time. The project relates to the standardisation of the rail gauge, particularly in western Victoria. We have to debate this now, because if we do not I can tell the house what will happen: we will see this government repeat the process it has undertaken over the past 18 months. It will repeatedly put off debating the notice of motion on the basis that ministers say, 'It is just one of those motions we stand up and automatically move. Everybody will agree to it and we will move on'. Such is not the case. The point I am making in responding to the motion moved by the minister is that it is imperative that that debate occur.

The specific matter to which I refer concerns the standardisation of the rail gauge. The Labor Government promised that it would standardise the gauge and that it would spend \$40 million towards achieving that in concert with Freight Victoria, along with what it said was a federal government contribution.

Mr Haermeyer — On a point of order, the Leader of the National Party is seeking to debate the substance of one of the notices of motion that the government is seeking to have deferred.

An honourable member interjected.

Mr Haermeyer — He is being frivolous. He is entitled to debate the procedural motion, which is that notices of motion 1 to 5 be postponed. He is certainly entitled to touch on why any of those motions may be of some urgency or why they should have precedence over the government's motion. But he is debating the substance of one of those notices of motion. This is not the forum for him to do that.

Mr Batchelor — On the point of order — —

Ms Asher interjected.

The ACTING SPEAKER (Mr Lupton) — Order! The Leader of the House, without interruption.

Mr Batchelor — We should be dealing with government business. The intent of the motion is to allow the house to proceed with the legislative program that was just agreed to by the opposition parties. The point of order raised by the Minister for Police and Emergency Services relates to the attempt by the Leader of the National Party to intrude into government business.

Opposition members interjecting.

Mr Batchelor — He is talking about a matter he gave notice of today, which will be placed under opposition business. So it is not appropriate for the Leader of the National Party to raise matters that are listed for debate under opposition business when debating the motion.

Mr RYAN — I do not think I will even bother responding, because the minister has obviously not been listening to what has been going on, Mr Acting Speaker.

Mr McArthur — On the point of order, I point out to the Leader of the House that notices of motion 1 to 5, with which this motion deals, come under government

business. They are not opposition business or general business; they are government business.

The ACTING SPEAKER (Mr Lupton) — Order! To be honest, the Chair is having great difficulty working out who means what. Honourable members have been arguing one way and the other. I find that the Leader of the National Party is being relevant because he is speaking about government business. There is no point of order.

Mr RYAN — Thank you for your guidance, Mr Acting Speaker. The thing about the question of infrastructure that has infuriated people in Western Victoria is that this government promised to spend \$40 million on standardising the rail gauge. This is now a matter of great urgency that requires work to be undertaken.

Unfortunately — or ridiculously, or probably both — the Minister for State and Regional Development is hung up on the fact that the federal government is supposed to contribute \$40 million to the project. It is absolute nonsense when one considers that the government has an \$810 million project for fast rail links to country Victoria — although I understand that that figure has blown out to the order of \$1 billion. The government is contributing \$550 million from the public purse, yet it has not made a single request to the federal government for a contribution of any sort to the now \$1-billion project. The contrast between the two approaches is stark.

That is but one example of a matter of urgency that requires debate in this house. There are other examples under the same issue of infrastructure and services. The catchment management authorities, particularly the West Gippsland Catchment Management Authority — —

Mr Haermeyer — On a point of order — —

An opposition member interjected.

Mr Haermeyer — It is filibustering. The Leader of the National Party is not in any way attempting to debate the motion. He is making a mockery of the forms of the house. He is using this as a device to debate the substance of the first item on the notice paper, not to debate the procedural motion. This cannot be done. It is an absolute sham, and I ask you, Mr Acting Speaker, to confine the Leader of the National Party to the motion at hand.

The ACTING SPEAKER (Mr Lupton) — Order! I find that the Leader of the National Party is being relevant to the motion. He is referring to notices of

motion 1 to 5, and therefore I cannot uphold the point of order.

Mr RYAN — Before I was again so rudely interrupted by the minister I was pointing out that there are difficulties with infrastructure and services in the West Gippsland Catchment Management Authority, to which the first notice of motion on the government business program refers.

The problem is that with the passage of time this government is deliberately scheming to reduce the amount of money available for ground works. In 1998 about \$3.3 million was available to the catchment management authority for ground works, the provision of services and the development of infrastructure, but now the amount is down to about \$1.2 million. This government is trying to pull the wool over people's eyes by saying it has put back into the catchment management authority an amount that equates to what was there before, derived in part from the levy established by the previous government. The government promised to put money back in to replace the amount raised by the levy. However, it has surreptitiously foisted all sorts of additional works onto the West Gippsland catchment management authority. By degrees that authority, like others around the state, I fear, is finding it does not have money available to carry out the works which are necessary and for which it has a proud track record.

It is simply not good enough. The issue needs to be debated. We cannot continue to let the government move a procedural motion such as this as a matter of course simply because it is not prepared to face the evil day and have these debates.

There are many other instances, and if time had permitted — and if not for the multitude of interruptions — I would have been able to look at them. For example, I could have kept going all afternoon on the way this government has ignored the plight of Gippslanders in relation to Basslink. I could have talked about the Minister for State and Regional Development refusing my freedom of information application regarding the Regional Infrastructure Development Fund. These are important matters, and they should be the subject of debate here and now.

I ask the government to withdraw the motion and let the house get on with this debate under government business. We should kick off with the motion in the name of the Premier, which deals with services and infrastructure in country Victoria. I can assure government members that country Victorians are concerned about the issue. As the notice of motion

intimates, they want to talk about it, and they expect the National Party to come in here and raise these issues for them.

Dr NAPHTHINE (Leader of the Opposition) — I support the Leader of the National Party in his opposition to the motion to postpone debate on government business, notices of motion 1 to 5. I remind the house that these are government business motions put on the notice paper by the Premier, the Attorney-General, the Minister for Health, the Minister for Education and the Minister for Police and Emergency Services because they felt the issues were motions worthy of debate in this Parliament. Government ministers have put on the agenda motions about the decline in services and infrastructure in regional and rural Victoria, which we have learned about in the past 18 months.

There is also a motion about the lack of action on secret deals and transparency, something else we have learned about over the past 18 months. We know about the Attorney-General and the Premier using Queen's Counsel to prevent the honourable member for Wantirna getting access to information about Waverley Park. We know about the way this government uses procedures. As the Leader of the National Party pointed out, we know about the way the government is frustrating honest, open and accountable government by preventing the owners of Seal Rocks from gaining access to appropriate documentation pertaining to their investment and their ability to employ people in that investment.

The third notice of motion, which is in the name of the Minister for Health, concerns the public hospital system. The opposition would love an opportunity to debate the series of health services reports that have been tabled in this house since he has been the Minister for Health. Every quarter the house receives a report from the Department of Human Services about the performance of hospitals across Victoria. Since the Minister for Health, who put this motion on the notice paper, has been in office, every one of those reports has shown an increase in waiting lists, ambulance bypasses and the number of patients waiting for more than 12 hours on trolleys. The opposition would like to debate the performance of the public hospital system. It does not think debate on these notices of motion should continue to be postponed. They should be dealt with by the Parliament under government business, as proposed by the various ministers.

I am sure the Minister for Police and Emergency Services would love the opportunity to bring on his motion and talk about why he is failing to deliver on his

commitment to boost police numbers and deliver appropriate justice services. I am sure the minister would love the opportunity to talk about why he continues to allow the numbers of prisoners in police cells right across Victoria to remain at record levels, why those prisoners are being detained for inordinate amounts of time and why Victorians cannot get access to proper protective services given his mismanagement of the justice and police portfolios.

I come back to the first notice of motion, which concerns services and infrastructure in regional and rural Victoria. As a representative of regional and rural Victoria, and as the member for Portland, I would like to debate these issues — and the people of my electorate would like them to be debated. I agree with the Leader of the National Party: I would love to debate why this government is completely failing the people of Western Victoria by failing to get on with the job of standardising the rail lines into Mildura.

The government knows full well when Paul Keating was Prime Minister in the early 1990s he struck an agreement with all the states and territories under the Working Nation program. It was agreed that the federal government would standardise rail links between all the capital cities and the standardisation of rail links within each state would be the responsibility of state governments. That agreement was struck between Paul Keating and Joan Kirner, both Labor leaders of the commonwealth and Victoria respectively. From 1992 onwards when the Kennett coalition was in government it funded the standardisation of the Wimmera grain lines, linking them to the port of Portland. It was fully funded by the Kennett government.

The Bracks Labor government is playing stupid politics with a much-needed project to standardise the rail gauges to Mildura to take advantage of the development of the mineral sands there. There are real opportunities for the mineral sands development to create an enormous number of jobs and economic growth for western Victoria, and the government is placing that development at risk. It is suggesting to the project's developers that they should send their products and their jobs to South Australia. The government ought to stop playing politics and get on with the job. As the motion says, the government should get on with infrastructure development, and the most important infrastructure that can be provided in western Victoria is the standardisation of the rail gauges into Mildura so that the mineral sands can go to Portland and be exported. Further processing — —

Mr Haermeyer interjected.

Dr NAPTHINE — The Minister for Police and Emergency Services does not understand how incompetent and inactive his government is!

Mr Haermeyer interjected.

Dr NAPTHINE — The Minister for Police and Emergency Services does not understand that the previous government did not close any freight services in western Victoria. What a stupid and ignorant comment from the minister!

Mr Steggall — The need for debate is obvious.

Dr NAPTHINE — The motion should not be postponed but brought on so the Minister for Police and Emergency Services can be educated about the need for standardisation of rail gauges to allow the mineral sands to come to the port of Portland, so that further processing can be conducted in and around Portland, creating hundreds of jobs, millions of dollars in investment and enormous opportunities for Victoria, instead of driving that industry interstate. Already — —

Mr Haermeyer interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The Minister for Police and Emergency Services should stop interjecting across the table.

Dr NAPTHINE — The minister has obviously failed to understand that mineral sands deposits around Mildura have only just been discovered and development has only just started. The first loads are going through the port of Portland by truck. They cannot go by rail because the Bracks Labor government has failed to standardise the gauge.

The government has let down country Victorians on infrastructure, and I would love to debate that issue in the house. I would also like to debate the need to widen the Surrey River bridge at Narrawong. The bridge is too narrow for the Princes Highway.

Mr Helper interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The Leader of the Opposition should ignore interjections.

Mr Haermeyer — On a point of order, Mr Acting Speaker, the motion before the house is a procedural one. It relates to the postponement of items 1 to 5 on the notice paper. The Leader of the Opposition's contribution goes to the substance of a motion. He is certainly entitled to touch upon the motions but he is not entitled to debate the substance. As much as I

would like to engage him in a debate over the failure of the government of which he was part and the destruction it visited upon country Victoria, this motion is not the vehicle through which to do that.

The ACTING SPEAKER (Mr Kilgour) — Order! I do not uphold the point of order. I believe the Leader of the Opposition is being relevant to the debate at this stage.

Mr Helper interjected.

Dr NAPTHINE — The honourable member for Ripon interjects about the bridge, and because he does so I will give a little bit of history about it that might be an education to him. If debate on the motion is allowed, I will give him the full history.

The bridge is a narrow bridge — —

Mr Helper interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Ripon is disorderly.

Dr NAPTHINE — The Princes Highway goes through Narrawong, and the bridge is too narrow to comply with the standards that now apply for highways. The highway is an important access route through to the port of Portland and for tourists visiting south-west Victoria, and the bridge needs to be widened because it is dangerous.

Mr Mildenhall interjected.

Dr NAPTHINE — I will give the honourable member for Footscray an education too. The previous Minister for Roads and Ports, the Honourable Geoff Craige, visited the area in the company of the local member and a commitment was made.

Mr Helper interjected.

Dr NAPTHINE — I love these interjections because they help the story. With the agreement of the local community and the local shire the previous government provided \$50 000 to build a footbridge at Narrawong to take the foot and bicycle traffic off the narrow, dangerous bridge. In response to the good work of the previous minister and the local member, the previous government took action, and it was a well-received initiative.

I suggest the honourable member for Footscray and the honourable member for Ripon, who is known in his electorate as Joe Helpless — —

Mr Helper interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Ripon!

Dr NAPTHINE — Honourable members should look at the history before they speak too loudly.

A government member interjected.

Dr NAPTHINE — I am continuing on the history of the development of the infrastructure, because the former minister in the previous government not only took the foot traffic off and the bicycle track off to make it safer but also made a commitment that the bridge replacement would be a high priority.

I pursued that as a local member when there was the change of government. If I remember correctly, in June last year I wrote to the Minister for Transport, but it took nine months for the minister to reply. He said that the replacement of the bridge would be a low priority under this government while he is the minister. The people of Narrawong and the rest of western Victoria are outraged about the downgrading of the priority of the bridge replacement. Public meetings have taken place, and there has been a huge outcry about the bridge.

We should bring on motion 1 so we can talk about the much-needed infrastructure in country Victoria and the upgrading of the Surrey River bridge at Narrawong so it will be safe for people to use. The opposition does not want the minister and the government to say it is a low priority and they are prepared to accept the danger caused by the bridge.

The opposition also wants to debate the issue of electricity line upgrades in south-western Victoria. Prior to the election the Minister for State and Regional Development promised the people of south-western Victoria an \$8 million upgrade to electricity lines and single-wire, earth-return (SWER) lines to assist the development of the dairy industry. Some \$8 million was promised to south-western Victoria, but as soon as the Minister for State and Regional Development came to office the promise went out the window. He delivered significantly less than the \$8 million promised to country Victoria. The opposition would love to debate that issue and what this government is doing to regional and rural areas.

It would also like to debate the land tax issue and the impact it is having in places like Ararat, as well as the Workcover issue and the impact the increases are having in the abattoir industry right across country Victoria. The opposition would love to debate — —

Mr Helper — On a point of order, Mr Acting Speaker, on the question of relevance. We are clearly debating a procedural motion. Not once in motions 1 to 5 is land tax mentioned — not even vaguely or obliquely. I urge you, Mr Acting Speaker, to call the Leader of the Opposition back to the motion before the house.

Mr Ryan — On the point of order, Mr Acting Speaker, I am absolutely astounded that a member of Parliament — or a purported member of Parliament at least — who represents a country seat would interrupt the contribution of the Leader of the Opposition when he knows full well that the matters under consideration relate to the interests of rural and regional Victoria. He should be applauding the Leader of the Opposition for his commentary.

The ACTING SPEAKER (Mr Kilgour) — Order! I have heard enough on the point of order. I do not uphold the point of order.

Dr NAPTHINE — I remind the honourable member for Ripon that motion 1 refers to the need to support policies that will revitalise the communities of country Victoria. The land tax impost will hit every small business, investor and renter of property in Ararat, and I would think the honourable member for Ripon would want to talk about the fact that the effect of the land tax proposal will be the exact opposite of revitalising those communities. In fact it will be detrimental to those communities; it will pull the rug out from under them. The opposition wants to talk about those sorts of issues.

Mr Helper interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! I have been rather lenient with the honourable member for Ripon. I warned him earlier that he was being disorderly, and I will not put up with that conduct. I suggest a cup of coffee may be in order, or I will have to deal with him more harshly.

Dr NAPTHINE — I trust that if he does have a cup of coffee he will have it in Parliament House, because he would not be game to have one in any milk bar or café in the main street of Ararat.

The ACTING SPEAKER (Mr Kilgour) — Order! The Leader of the Opposition, on the motion before the Chair!

Mr Lenders interjected.

Dr NAPTHINE — It is an absolute disgrace that following a contribution concerning the need to treat

people with disabilities such as mental illness with respect, the honourable member for Dandenong North would take such an inane, absolutely disgraceful shot at those people. It is an absolute disgrace, and he should apologise. It is appalling that a member of this Parliament would make such an inane interjection attacking people with mental illness and their families. Any interjection that claims those people should take their pills and their shots — which is what he said, and he should not deny it — is an absolute disgrace.

It is about time honourable members adopted a few standards and reflected on what they say by way of interjection. That sort of interjection is an absolute disgrace. People with mental illness deserve to be respected and treated well. He should consult with the former member for Melbourne about how he should deal with those issues rather than taking cheap shots at people with mental illness by way of interjection.

The ACTING SPEAKER (Mr Kilgour) — Order! I ask the Leader of the Opposition to return to the motion.

Dr NAPTHINE — I am sorry, Mr Acting Speaker, but I am passionate about that sort of thing.

The motion before the house seeks to postpone motions 1 to 5. The opposition is saying that those motions have sat on the books for 18 months — virtually since the government came to office.

We have not had the opportunity to debate those motions, and it is about time they were debated. The opposition stands ready to debate them and feels confident that a range of issues will be brought forward that highlight the total inadequacy of the Bracks Labor government in the way it has failed country Victorians, the way it has failed to be honest, open and accountable, and the way it has failed Victorians in the management of the health and education systems, police numbers and the administration of safety in the community.

Government members interjecting.

Dr NAPTHINE — If the government is so keen to engage the opposition on those matters, it should bring the motions on for debate. If the government feels it can score some points by bringing those matters on for debate, it should bring them on. It is exactly as I said last Sunday.

Honourable members interjecting.

Dr NAPTHINE — The Premier said the placement of ads about the government's attack on small

business was a cowardly act. I challenged him to debate me anywhere at any time, but he is too chicken to do so. The motions are government motions, and I challenge the government to bring them on now! The opposition is ready to debate them here and now.

Honourable members interjecting.

Dr NAPHTHINE — If government members want to defend — —

The ACTING SPEAKER (Mr Kilgour) — Order! The Leader of the Opposition's time has expired.

Mr MILDENHALL (Footscray) — What a pathetic, childish, disruptive, pointless attempt by the opposition to try to disrupt the government's business program and desperately try to gain some relevance. This opposition is the most irrelevant opposition in Victoria's history. It cannot get on to the political radar screen and must resort to cheap procedural tricks in the house to try to get a debate up.

The opposition is desperately defensive and in a sad and awful situation. Opposition members should keep on apologising, keep the landmark April Fool's Day speeches going and confess that they did not listen, did not know and were not in touch and that that is why they lost office.

Given the opposition's history with the subjects of the motions listed on the notice paper the government understands how desperately defensive the opposition is. It understands why the opposition wants to keep saying mea culpa and keep telling the Victorian community that it got it wrong, why it wants to interrupt parliamentary business to say, 'Look, we were wrong. We did not understand; we did not consult; we did not listen; we were not in touch; and our leadership was hopeless. Despite sitting at the cabinet table we did not know where we were going. We did not know what our leader was saying or what commitments he was making'.

However, that explanation lasted only a day! Now it was the finest leadership in Victoria's history — a case of, 'We all knew where we were going and Jeff Kennett was magnificent'. Given that inspiring leadership by the parliamentary Liberal Party, which sends out to its members messages of absolute consistency and firmness in direction, clarity, long-term strategies that last all of 36 hours at the last count, the government understands how desperately the opposition needs to try to pull some cheap trick on the government business program and say, 'Listen to us. We pulled a cheap trick. We can get away with this. We can disrupt parliamentary proceedings in the hope that one or two

government members are out of the house, the hope that one or two government members are sick so we can get away with a sneaky vote'.

It is a sad day for the opposition ranks. It is the sort of desperate measure employed by the Labor Party in 1992 when it had half the numbers of the government and the fearless Tom Roper would fly in and try to pull a procedural trick to disrupt the government and keep members speaking all night. The opposition has had to do that, despite its numbers, to try to find some relevance.

Honourable members interjecting.

Mr MILDENHALL — That is all it can pull out of the drawer. If no-one listens it will pull a cheap trick in Parliament. As last resort no. 10, option B, it will disrupt the proceedings of the house to get a cheap motion up. The level of disruption — —

Mr McArthur interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Monbulk should not interject across the table.

Mr MILDENHALL — It is sad to hear the opposition wanting to debate the treatment of country Victoria under the Kennett government. When it gets to the stage of the opposition wanting to compare the history of the Kennett government's treatment of country Victoria with the Bracks government's — —

Honourable members interjecting.

Mr MILDENHALL — When one thinks of the 180 schools that were closed and the bush hospitals that went down the drain compared to the Bracks government increasing the share of infrastructure investment from 21 per cent to 45 per cent and increasing infrastructure investment from \$1.1 billion to \$1.9 billion since it has been in office, one would not think the opposition would want to bring those things up.

They want to debate transparency in government. The record of the Kennett government is that it argued at the Victorian Civil and Administrative Tribunal that a grant from the Department of State Development to a municipal council was commercial in confidence. We, the members of Parliament, were not allowed to know. I wonder if the councillors were allowed to know! It was commercial in confidence. No wonder they called the joint 'the Secret State'!

How the opposition can argue that the present government is less transparent than the murky, dark sludge they poured all over the public sector of Victoria for those seven dark years is beyond me.

Members of the opposition want to debate the hospital system. They pillaged the hospital system. Hospitals died in Victoria, and the combined impact of Dr Wooldridge, Mrs Tehan and Mr Knowles on the Victorian health system was just dreadful.

What about the education system where 350 schools closed and 8000 teachers were lost? Victoria had the lowest level of education expenditure in Australia — and the opposition wants to debate it! They want to debate the Kennett government's record on education. What a joke! What an extraordinary argument to put to the house!

The pièce de résistance is the Leader of the Opposition arguing that it is the state government's responsibility to standardise the Victorian freight lines into the national railway system and that he did not have a role — —

Mr McArthur interjected.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Monbulk should not interject across the table.

Mr MILDENHALL — He argued that it was entirely the Bracks government's role to standardise the railway.

The constituents of the electorate of Portland have been desperately waiting to hear from their local member, the Leader of the Opposition, and from the Leader of the National Party that the federal government has a role to play and should contribute. The purported leader of the National Party and the local member for Portland should stick up for their constituents and say they want these projects completed — but we do not hear it. That is what should have been put forward in the house instead of these cheap, pointless and childish procedural motions that disrupt the program the opposition has agreed to with the government and leave us in a pointless merry-go-around of arguments that gets us nowhere and leaves us with less time to debate the important, meaty legislation — —

Opposition members interjecting.

Mr MILDENHALL — You agreed to — —

Mr McArthur — On a point of order, Mr Acting Speaker, I am absolutely outraged that the honourable

member for Footscray would say that a debate on services and infrastructure in rural and regional Victoria is not important — —

The ACTING SPEAKER (Mr Kilgour) — Order! There is no point of order.

Mr MILDENHALL — I will ignore that latest pathetic attempt to get on the political radar screen.

I wind up with these comments: it is a sad day for the opposition; it has dropped the ball again. The opposition should be requested to stand by its agreements and debate the legislation on the notice paper. Members of the opposition should show they are men of their word and get on with the business.

Mr HAERMMEYER (Minister for Police and Emergency Services) — I move:

That the question be now put.

The ACTING SPEAKER (Mr Kilgour) — Order! I am not prepared to accept the motion at this stage; there have been only three speakers.

Mr STEGGALL (Swan Hill) — What an interesting day! It is a day when the government is trying to talk down its own motion. The opposition parties have been watching with interest the various motions at the no. 1 spot on the notice paper each day, going back as far as 3 November, 1999. We reckoned they would generate pretty interesting debates when they came on. If the government had brought them on earlier there would have been one kind of debate, but since they did not bring them on the National Party thought the government needed help to focus on where it was going.

The honourable member for Footscray lectured the opposition parties on the disruption to government business. I suggest he have a look at the notice paper, starting at the top and working his way down. He will find government business sitting there right in front of him for all to see — an opportunity to have some discussion on these subjects. If these motions could come on now the debate would be on the Bracks government's treatment of country Victoria.

Look at the wording of the notices of motion, particularly motion 1, which reads:

That this house notes with concern the decline in services and infrastructure in rural and regional Victoria and congratulates country Victorians for standing up for their local communities by seeking to stop the decline and supporting policies that will revitalise their communities.

Mr Nardella — That is a good motion.

Mr STEGGALL — Yes, it is a good motion, but the honourable member for Melton might explain why the library services in Wedderburn and Inglewood in my electorate have been taken away.

Why is the government taking those away?

Why did the government decide, in all its wisdom, to take away the only County Court in my electorate? The County Court at Kerang has gone. The Attorney-General, who unfortunately is not here today, promised that we would have a court back within a year, but it has gone. It would be interesting to debate a motion congratulating country Victoria for standing up for its local communities!

I loved the contribution by the honourable member for Footscray. He and I do not always get to follow one another in debate, but I am delighted to be able to do so today. He is very keen on transparency in government, and he is a good man on matters concerning freedom of information (FOI).

As a member of Parliament I have rarely used FOI. However, recently I dabbled in it and found the transparency I expected! I put in two FOI requests, one of which aimed to obtain the 27 letters sent by the Minister for Agriculture to interested people in the barley industry. I had hoped to obtain the names of the 27 people, if not the letters, but I received zilch — not even one! What about transparency? Government members have stood in this place and said, ‘We’re going to deregulate the barley industry because the barley industry wants it’. I wondered who was telling the government that, so I did the right thing and went to the minister, through FOI — and he refused to tell me.

Surprise, surprise, the Treasurer has a Tasman Economics report but has refused to release it. Again, I did the right thing and went through the FOI process — something I am not used to doing — but the information I received had many pages missing. It did not even reveal the names of the people whom Tasman Economics had asked to comment, let alone what they said. It is very sad. The rest of the report is interesting — except for the fact that it is full of gaps.

I was trying to find out why in his wisdom the Victorian Treasurer had become the only Labor Party Treasurer or minister to do away with the single desk for barley marketing. That kind of action has not been seen in Labor governments in New South Wales Labor, Queensland and Western Australia. Even the federal ALP supports the continuation of the wheat board’s single desk. I thought the Treasurer must have had some pretty good reasons — —

Mr Haermeyer — On a point of order, Mr Acting Speaker, I have been listening carefully to the Deputy Leader of the National Party and I am having great difficulty understanding the relevance of his remarks to the procedural motion before the house. This debate is not about FOI. In particular, it is not about any FOI requests he may have put in. This motion is about the deferral of notices of motion 1 to 5 on the notice paper. The deputy leader of a dying party is proceeding down a path that has absolutely nothing to do with the motion.

The ACTING SPEAKER (Mr Kilgour) — Order! I have heard enough on the point of order. The honourable member for Swan Hill is discussing notices of motion 1 to 5. Notice of motion 1 talks about stopping the decline in services and supporting policies that will revitalise rural communities. The honourable member for Swan Hill was being relevant to the question.

Mr STEGGALL — Thank you, Mr Acting Speaker. The government is a bit sensitive, isn’t it? Government members thought, ‘How clever we are. We’ll be smart alects and put notices of motion at the front of the business paper every day’. Well fellas, you are having your bluff called! You can either put them up or we will have this discussion often — —

An honourable member interjected.

Mr STEGGALL — I am at ease with that. It is not every day that we have the opportunity to discuss issues that go to the heart of country life. It is so nice of the government to put them at the front on the notice paper so they are brought on each day. We would dearly love to fully debate infrastructure issues in country Victoria.

Mr Nardella interjected.

Mr STEGGALL — I have merely touched on the subject. The honourable member for Melton would find it difficult to understand the happenings outside the metropolitan area.

The National Party would dearly love to debate the Premier’s motion as it relates to the \$12 billion worth of food and fibre operations in rural and regional Victoria. The government keeps referring to the fact that it has taken over our policy on Food Victoria, saying that it will put the necessary infrastructure in place. I would like to see that.

However, there is one thing the government cheated on: it forgot to tell the people that the former government’s policy was to increase food exports to \$12 billion by 2010 — it was not, as the government keeps saying, for

food and fibre. The government has taken the sting out of where we were heading. It has taken away the desire to even have a go. The government has lost its leaders so far as the country goes. The government is going nowhere on those sorts of issues. The National Party would like to fully debate the notice of motion in the Premier's name, which has been on the notice paper for some time.

The single marketing desk for the barley industry is an infrastructure issue that is having a great impact in northern Victoria, where a public debate is currently going on. The government may find that in country Victoria the issue of barley marketing is far bigger than it ever dreamed of. It is an issue of great interest.

Through FOI and discussions we have been trying to find out who supports the Treasurer's position, because the Treasurer has taken over the department of agriculture. That is another issue country people would like to talk about: 'When can we have our Minister for Agriculture back?'. We are sick and tired of having a Treasurer as a Minister for Agriculture, who in many areas is acting in a blocking sense, some of which the Leader of the National Party has mentioned today. Barley marketing is one of them; it is a very big issue in the country.

Honourable members might have noticed that the National Party has introduced legislation into the other house. We have been interested to discover the thoughts of the malting industry on the bill. Lo and behold, yesterday we met with some of the leading maltsters in Australia and found that they fully supported the retention of the single-desk operation for export barley — and for good reason: it gives them the opportunity and the advantage of being able to properly market and plan their export malting industries. So the government should understand that on a lot of issues it is way off line.

Notice of motion 1 refers to the government supporting policies that will revitalise the communities. I agree with that. But it should not put up policies that will kill us or make it harder for us. That is what it is doing at the moment.

Mr Nardella interjected.

Mr STEGGALL — We did, old fellow. Currently throughout the world agriculture is in quite an interesting state of affairs.

Mr Nardella interjected.

Mr STEGGALL — No, in Swan Hill agriculture is probably going better than in most places. It is

interesting to consider the taking away of an infrastructure base which is supported by 90 per cent of farmers. We have found that at the moment there is 100 per cent support for the malting industry. There must be someone out there who disagrees, but we have not found them yet. I do not believe there are many members of the Labor Party backbench who agree with the Treasurer's and the government's action on this. They are the only Labor Party people in Australia who have that opinion — and it is Labor Party policy throughout Australia. It is the only thing we have going to be able to counter the distortions of the marketplace with the bulk commodity trading in which we are involved on a day-to-day basis.

Around the world people in Canada are currently protesting in the streets and pleading for more government aid and a program to compete with the massive United States and European Union subsidies. We cannot and we do not seem to have subsidies in Australia for agriculture. What we do have is a single-desk operation for the grains industry in wheat and barley, and cooperative operations for dairying. These are the mechanisms by which we work, and the infrastructure for that area is — —

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member for Ripon must not speak to people in the gallery.

Mr STEGGALL — Mr Acting Speaker, many of the issues in the five notices of motions particularly involve people from country Victoria. It really strikes me that one of the issues the media or anyone else has not taken note of is the fact that this government says one thing and does another. Your public relations and spin doctors are very good, but they are coming to an end. You are going to have to start delivering! The state will not tolerate a Treasurer saying in this place, 'We have to have money from the federal government for a policy of standardisation of rail lines'. That was not in your policy; you were going to standardise those lines.

As the Leader of the National Party has pointed out today, new industries are starting. In the next 10 years the mineral sands industry of north-western Victoria will be one of the biggest industries in Australia. Today we are at the commencement of that project. The first truckloads have arrived.

Mr Nardella interjected.

Mr STEGGALL — They are at Wemen in the Swan Hill electorate. The first transportation of mineral sands by road has arrived at Portland. Infrastructure is desperately needed, and was lined up, to handle and

look after this industry. It is only just getting started, so the government has time to get in there and start doing those things. When I read the Premier's notice of motion I get the feeling that he will, but when we want to bring it on for debate we are opposed by the Premier's own men and women.

Mr Smith — Every day!

Mr STEGGALL — The discussion will be ongoing, and we will be able to have a good look at where we are going. After all, the Minister for Police and Emergency Services — —

An honourable member interjected.

Mr STEGGALL — Yes, he scurried away. He is a bit embarrassed; he will not be game to look at the Leader of the House. Honourable members should consider the urgency of some of the issues. The minister said that if any motions listed on the notice paper were more important than the bills before the house, we should be able to debate them. For country areas the issues contained in the five notices of motion are desperately urgent. We will keep pushing that you either stand up in this place and bring them on or pull them out. That is not too much to ask.

An honourable member interjected.

Mr STEGGALL — It is your motion and they are your words — you are running the Parliament! That is the future and the direction in which you should go. The motions cover many subjects and many areas. They include health, education, and the mythical 800 policemen referred to by the Minister for Police and Emergency Services. I bet he gets a bit embarrassed every time he looks at that every week it is listed. I bet he is saying, 'Oh I hope no-one — —

Honourable members interjecting.

Mr STEGGALL — I am pleased to debate whether the government should take the opportunity to bring on these notices of motion. They are very important to us, and today we have given you but a taste of them. There will be more tastes to come, and I hope you will enjoy them.

The notices of motion should be picked up and thought about. Government members on the back bench should try to recognise some of their shortfalls. In many cases they are falling for the same problems that the coalition fell for — except that they have not delivered.

The other day at Charlton I attended what I call a memorial service, where the honourable member for

Ripon opened the Charlton water board upgrade. That is very good — a little bit of infrastructure is coming in. It is an upgrade and it is very important. It is wonderful. People asked me, 'Why do you call it a memorial service?'. I replied, 'I had to sit there and listen to the honourable member — who was very good and said all the right things for his own mob — but this is a service in memory of when governments actually did something'.

The 60 community projects throughout country Victoria are vital to us all. We have not seen this government instigate any of those new infrastructure operations. On the debate on the five notices of motion, particularly the first one, government members might be able to actually tell us what the government is going to do, particularly in country Victoria. Until now it has been more puff and wind than substance. We need government backbenchers particularly to understand our plight and the challenges we face in country areas and would like some assistance with that from time to time.

The ACTING SPEAKER (Mr Kilgour) — Order! The honourable member's time has expired.

Mr LENDERS (Dandenong North) — I will keep my remarks much shorter than those of the honourable member for Swan Hill, because the motion is simple and succinct. It is about deferring debate on government business, notices of motion 1 to 5, to a later date.

As a fan of children's literature, I am, along with any member of this place who has children, familiar with the story of the Very Hungry Crocodile. In that story there are two crocodiles who every day come up with the same bit of dialogue — 'We have secret plans and clever tricks'. I would imagine that the National Party tactics meeting was a recitation from the *Very Hungry Crocodile!* The secret plan was to bring on this motion, but I am still trying to work out the clever trick.

These five notices of motion, which were put on the notice paper during the first week of Parliament, are government motions that at the time government members were keen to debate. However, there was vehement opposition and raucous uproar of all sorts from honourable members on the other side, because they did not want to debate them. It is interesting how times change!

But government business includes the legislative program we have in front of us, and this debate is delaying that legislative program. Honourable members opposite cannot have it both ways. We cannot make

more time to discuss bills and put more bills on the agenda when they cause delays such as this — and then they bleat and bark when the guillotine is applied on a Thursday night.

Mr Steggall interjected.

Mr LENDERS — If, as the honourable member for Swan Hill is promising, this will happen every day, there will be very little debate. That might be their secret plan — but I imagine it will not be seen as a clever trick by honourable members who wish to debate legislation.

The common practice in this place is that the government sets the priorities for government business. If the opposition wishes to debate the issues raised in any of these notices of motion, it has the opportunity to do so by proposing a matter of public importance (MPI) for discussion by the house. Otherwise it is perfectly legitimate for the Leader of the House to move the government business program.

Had the Labor Party adopted the National Party's secret plans and clever tricks routine it would have brought on debate on general business, notice of motion 2, in the name of the honourable member for Brighton. I suggest, Mr Acting Speaker, that you and members opposite read her notice of motion. Among other things she calls for the government to deliver a substantial operating surplus, cut taxes, deliver over \$400 million in new spending programs and reduce public sector debt and unfunded superannuation liabilities — things that the Treasurer delivered in the budget in May last year! If we want to play the game of pulling each other's motions on we could have enormous fun, but I imagine we will cover the honourable member for Brighton's motion during the debate on the budget, which will be presented on 15 May.

However, we are not debating the five notices of motion. We are debating a motion that they be deferred to a later time so we can get on with the government's critical legislative agenda, to which we hope Parliament will pay serious attention.

I return to the context in which the five notices of motion were introduced, because context is an important consideration. The first motion was given notice of by the Premier, who was — and still is — a proud leader of a great party that had won an election on the number of key commitments. As a candidate who knocked on thousands of doors during the election campaign and who gave much attention and thought to election policies over a number of years, I can assure the house that the issues of education cutbacks, police

numbers and cuts to the health service were critical to Victorians and to the Labor Party. In its first few days of office the government gave Parliament notice of wanting to debate those five motions. They were critical motions to debate at the time because they dealt with the direction in which the government saw itself heading.

Members have forgotten that those issues, which were relevant at a time when there was no legislative agenda, have all been addressed by this government — and they continue to be addressed. Rather than debating general, wishy-washy notions, those opposite wish to — —

Honourable members interjecting.

Mr LENDERS — They are key motions, but members opposite wish to discuss them in a wishy-washy fashion, unlike the government. They were pertinent at the time, but through its business program the government has introduced key pieces of legislation that have addressed the very issues raised in those motions.

I will stick to my word and keep my contribution short. I urge the house to support the motion with considerable enthusiasm and vigour so it can get on with debating the critical bills that are before it. I rest my case and urge support of the motion.

Mr COOPER (Mornington) — I oppose the motion and support the remarks made by the Leader of the National Party, the Leader of the Opposition and the Deputy Leader of the National Party. I invite the house to cast its mind back to the period just before 3 November 1999. I can almost see the panic-stricken faces of the ministers sitting around the cabinet table, all of whom were saying, 'My God, Parliament is opening on 3 November. What are we going to do?'. Somebody came up with the bright idea that they should give notice of moving some motions.

An honourable member interjected.

Mr COOPER — We don't know. From what I have just heard, the honourable member for Dandenong North could well have given that advice. He said that when notice of these motions was given there was a lot of angst on this side of Parliament. I have taken the trouble to dig out the report of the debate on 3 November 1999 in volume 444 of *Hansard*. At the time members on this side of the house certainly raised points of order. For example, the honourable member for Monbulk asked the Speaker whether the government was dealing with general business or government business. As the Leader of the House and

speaking on behalf of the government, the Minister for Transport said:

Clearly government ministers are giving government notices of motion.

He went on later to say:

The government is indicating its desire to move motions under the standing orders. It is entitled to do it and it is doing it.

There is nothing to suggest that we are not talking about the postponement of government business. That is what the government is on about; that is why it has moved this motion. As is the wont of the minister at the table after question time — you can go back through *Hansard* to early 2000, Mr Acting Speaker, if you want to check — after the Minister for Police and Emergency Services got the call from the Chair he stood up and moved that notices of motion 1 to 5 be postponed or deferred.

Opposition members have now had a look at these notices of motion — and possibly for the first time in 18 months or so, the honourable member for Dandenong North has looked at them too. However, his view of them and ours seem far apart. We say that country Victoria would be interested in having each and every one of these notices of motion debated fully in this Parliament.

In his speech, which had something to do with crocodiles — I do not know whether it was about crocodile tears or something from the other end of the crocodile — the honourable member for Dandenong North told us the most amazing story. He said that because the issues had all been addressed by the government there was no need to debate these five notices of motion. If the issues have been addressed, the government has kept it a secret from the people of country Victoria — and it has kept it a secret from most of its own backbench. I can tell the house that people in my electorate are asking serious questions about why the government has not taken action on many vital issues. Why is it that the government has ignored issues that were seen to be so important back on 3 November 1999?

Issues such as the all-embracing notice of motion that was proposed by the Premier at that time — a motion that refers to the decline in services and infrastructure in rural and regional Victoria, and of encouraging Victorians to stand up for their local communities by seeking to stop what he calls the decline and supporting policies that will revitalise their communities — are what those in metropolitan and rural Victoria would like to see debated in this house. Victorians would be

keen to see those issues debated, particularly when one considers some of the programs that have been put into place by the government over the past 12 months or proposed over the next year or so.

Other speakers in the debate have mentioned Workcover, the Fair Employment Bill, and the review of state business taxation. Honourable members have given many reasons why this particular motion is so important and why it should be brought on for debate. I support them fully in that. It is absolutely vital to the people of Victoria that motion 1 is debated and clarified in the house.

The Bracks government was elected to office in October 1999 and the 54th Parliament first met on 3 November — an auspicious day in your life, Mr Speaker, when you were elected to your present position. It was also an auspicious day for the Australian Labor Party because the government was elected on the basis of a very significant range of commitments to the people of Victoria. Those commitments were certainly encapsulated in the following notice of motion proposed by the Premier:

That this house notes with concern the decline in services and infrastructure in rural and regional Victoria and congratulates country Victorians for standing up for their local communities by seeking to stop the decline and supporting policies that will revitalise their communities.

It was perhaps an easy set of words to be moving in a notice of motion on 3 November 1999. Obviously it is a far more difficult motion for this government and this Premier to debate in April 2001, because any debate would have to occur on the basis of and in the surroundings of what the government has or has not done since 3 November 1999. How has the Bracks government addressed those issues? Has it addressed any of them? If honourable members are to believe the words uttered by the honourable member for Dandenong North, those matters have all been addressed. According to him, there is no need for this debate to take place.

I suggest that the action the honourable member for Dandenong North said has occurred has not occurred and that that is the reason why the debate about another postponement of this important matter is taking place. The opposition suggests the issue is important enough for the motion to be brought on for debate right now. Let us not postpone it until tomorrow or Thursday or the next sitting week in these shorter sessions that the government is imposing. Let us bring it on and debate it now. Let us find out what the government has and has not done about its commitments as mentioned in notice of motion 1. Let us find out what the government has

not done and get a timetable on when it will be doing those things.

After all, Mr Speaker, the government is nearly halfway through its term, and yet a notice of motion that it regarded as so important that it was the first thing that was proposed on the first sitting day of this Parliament has still not been debated. That is the key to this debate. Is it reasonable and fair that the government should put off country Victoria, basically saying to regional and rural Victorians, 'We are not interested in you any longer. We have other fish to fry'. That is really what this debate is all about — whether this government is prepared to stand up and defend itself and explain what it has done, or whether it will run away and hide for another day, another week, another month or another year. That seems to be what it is determined to do.

The government has several options open to it. It can accept the fact that the opposition is right and debate notice of motion 1 for the rest of today and into tomorrow. That is what it should be doing. If it does not do that, another option open to it is to shut down or gag this debate.

Mr Ryan interjected.

Mr COOPER — And send a message to country Victoria that the government does not care. It will just gag the debate and walk away from the issue. Or the government can take the coward's way out with a double dip by gagging this debate and then moving tomorrow that notices of motion 1 to 5 be removed from the notice paper.

The Leader of the National Party is a keen young man who is naive still in the ways of Parliament. He says the government would not do that. He is a nice fellow, always looking on the bright side of things. I have been in this place since 1985, Mr Speaker, like you have, and I have seen people doing the cynical thing in this place. I have seen them.

Honourable members interjecting.

Mr COOPER — I have to say that until the government stands up and is counted on this issue, until it stands up and says, 'The Premier is prepared to come in here and stand up and defend his government', and he is prepared to admit where it has not done the things that he says in this notice of motion are so important and is prepared to give us a timetable on when he will be putting those things into operation, I believe I have a right to take the cynical view and say that this government does not care about what it cared about in November 1999. The Bracks government is running away and hiding from the debate.

It is all very well for the Leader of the National Party, the Deputy Leader of the National Party, the Leader of the Opposition and me to stand up and say it is very important to get the Premier in here to debate the motion because it is an issue of vital importance, which it is, but there are four other motions that we believe are also very important.

I suggest that all of those geniuses who sat around the cabinet table just before the first meeting of Parliament in November 1999 and thought up this brilliant idea will now all be pointing the finger and saying, 'You were the one who thought of this. You were the one who thought of that'. The fingers will be going all over the place and they would all be taking the streaker's defence: 'It seemed like a good idea at the time'.

An honourable member interjected.

Mr COOPER — The honourable member for Hawthorn suggests the honourable member for Dandenong North has actually said that, that it did seem like a good idea at the time. But the reality is that we had five senior ministers, if you include the Minister for Education, who stood up and moved government business notices of motion. In addition to the Premier there is the Attorney-General. Of course, he cannot debate his motion this week because he is unwell. I understand he will not be here until later in April or early in May, whenever the house resumes after Easter, but when he does, we want him on his feet. We want him right there debating notice of motion no. 2.

His motion is just as important as the Premier's motion, because it refers to secret deals and lack of transparency. I want to hear what the Attorney-General has to say about PBL and Crown Casino. I want to hear what he has to say about the ambulance inquiry. I want all those things to come out because they are encapsulated in his motion — all those wonderful things that the Attorney-General was so passionate about when he was in opposition. He was so passionate.

I can remember the honourable member for Niddrie standing at the table on the opposition side of the house. If you were sitting across the table when the honourable member was on his feet, you had to put up an umbrella — he was so passionate. He would spray it all over the place. He sprayed it here, he sprayed it there, he sprayed it everywhere!

Now we have an opportunity to hear him again when we debate notice of motion 2 after the honourable member returns from sick leave. He can stand up and spray all over the place about what he has done to improve the transparency and accountability of

government, and how he has stopped the secret deals. That will be a fascinating little topic all on its own. Then, after he has done all that, he can tell honourable members how he has lifted the veil on freedom of information.

We will all be fascinated by his exposé on that. It is important because prior to the last election many people in the community accepted the furphy, the line that was being peddled by people like the now Premier and the now Attorney-General, that there was a lack of accountability, a lack of transparency, that there was a veil of secrecy over how business was being transacted in Victoria and that freedom of information was being stifled. They accepted all of that, and now we have people like the Deputy Leader of the National Party explaining that he has run into a veil of secrecy and a brick wall with a very simple freedom of information application. The opposition will welcome the Attorney-General back to this house. Members on this side hope he comes back fighting fit, because he will need to be when he gets up to debate motion 2.

After we have done with that we have another important motion, which deals with an issue that is important in my electorate. This is the motion of which notice was given on 3 November 1999 by the Minister for Health. He moved to condemn all the things in the public hospital system which as shadow Minister for Health he had been complaining about. In his notice of motion the Minister for Health refers to the mismanagement of the public hospital system. Members of the opposition will be enthralled by his contribution as a minister to the debate on this issue. The Minister for Health will explain to the house how he has somehow or other magically changed what he termed the mismanagement of the public hospital system to brilliant management. We all know about his brilliant management. I am not allowed to go into the substance of the debate, and I have to resist the temptation, because we all know what has gone on in the public hospital system over the past 18 months.

Opposition members would love an opportunity to address those issues on behalf of our constituents. I suggest that every member who sits on this side of the house, including the three Independent members, would love to get up and spend 20 minutes or so debating this issue with the Minister for Health. Opposition members would love to be posing questions to the minister. Of course, if he did not answer them he could have his flunkey, the honourable member for Frankston East, stand up and answer the questions. Perhaps if the Minister for Health does not want to debate the issue he might like to handball it to the honourable member for Frankston East.

After the house deals with the brilliant contribution it will no doubt receive from the Minister for Health it will move on to the star of the cabinet, the Minister for Education, who will explain to the house about cruel ideological experiments, classroom sizes and standards of education. It would be important to my electorate if the Minister for Education concentrated her address on motion 4 on the subject of asbestos in classrooms. The opposition would be very interested to have the Minister for Education talk about that at length. She stood up in the house and said that what I had said was absolutely untrue, but she later had to admit that there was asbestos all over the place. It seems to me that after the Minister for Education has finished with the question of asbestos in classrooms she might like to get her ministry sponsored by James Hardie, because it seems to have more of an interest in what goes on in the classrooms than she does.

Last but certainly not least would be motion 5 moved by the Minister for Police and Emergency Services. He moved that the Bracks Labor government be congratulated on putting 800 more police on the front line. Opposition members would like the Minister for Police and Emergency Services to tell us where these police are. The minister has them hidden away and we want to know where. The minister's motion seeks to congratulate the Bracks Labor government on putting 800 more police on the front line, but the last I heard the net gain was 42. After 18 months to two years of this minister being in office he has 42 more coppers out there. Of course all of those, and probably more, are looking after the increased number of prisoners being kept in police cells. At 370 it is a world record — or certainly a Victorian record; I do not want to exaggerate.

That is what this minister has done, and it is important for people who believe in the safety of the community and who believe the police force should get proper support that the Minister for Police and Emergency Services stand up and explain himself. He probably should throw himself on the mercy of the Parliament for misleading it. He certainly should throw himself on the mercy of the people of Victoria for misleading them.

These five motions are important. They cannot be pushed aside week after week by this government. The opposition demands that the government start debating them.

Mr LANGDON (Ivanhoe) — I move:

That the question be now put.

Bells rung.

Mr Ryan (*Speaking covered*) — On a point of order, Mr Speaker, I wish the record to show that the National Party has offered a pair to the government so the Attorney-General is not required to be present for the vote.

The SPEAKER — Order! The Chair nearly named the honourable member for Rodney as a teller. There is no point of order.

House divided on Mr Langdon's motion:

Ayes, 45

Allan, Ms	Langdon, Mr (<i>Teller</i>)
Allen, Ms (<i>Teller</i>)	Languiller, Mr
Barker, Ms	Leighton, Mr
Batchelor, Mr	Lenders, Mr
Beattie, Ms	Lim, Mr
Bracks, Mr	Lindell, Ms
Brumby, Mr	Loney, Mr
Cameron, Mr	Maddigan, Mrs
Campbell, Ms	Maxfield, Mr
Carli, Mr	Mildenhall, Mr
Davies, Ms	Nardella, Mr
Delahunty, Ms	Overington, Ms
Duncan, Ms	Pandazopoulos, Mr
Garbutt, Ms	Pike, Ms
Gillett, Ms	Robinson, Mr
Haermeyer, Mr	Savage, Mr
Hamilton, Mr	Seitz, Mr
Hardman, Mr	Stensholt, Mr
Helper, Mr	Thwaites, Mr
Holding, Mr	Treziise, Mr
Howard, Mr	Viney, Mr
Ingram, Mr	Wynne, Mr
Kosky, Ms	

Noes, 40

Asher, Ms	McIntosh, Mr
Ashley, Mr	Maclellan, Mr
Baillieu, Mr	Mulder, Mr
Burke, Ms	Naphine, Dr
Clark, Mr	Paterson, Mr
Cooper, Mr	Perton, Mr
Dean, Dr	Peulich, Mrs
Delahunty, Mr (<i>Teller</i>)	Phillips, Mr
Dixon, Mr	Plowman, Mr
Doyle, Mr	Richardson, Mr
Elliott, Mrs	Rowe, Mr
Fyffe, Mrs	Ryan, Mr
Honeywood, Mr	Shardey, Mrs
Jasper, Mr	Smith, Mr (<i>Teller</i>)
Kilgour, Mr	Spry, Mr
Kotsiras, Mr	Steggall, Mr
Leigh, Mr	Thompson, Mr
Lupton, Mr	Vogels, Mr
McArthur, Mr	Wells, Mr
McCall, Ms	Wilson, Mr

Pair

Hulls, Mr	Maughan, Mr
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Motion agreed to.

House divided on motion:

Ayes, 45

Allan, Ms	Langdon, Mr (<i>Teller</i>)
Allen, Ms (<i>Teller</i>)	Languiller, Mr
Barker, Ms	Leighton, Mr
Batchelor, Mr	Lenders, Mr
Beattie, Ms	Lim, Mr
Bracks, Mr	Lindell, Ms
Brumby, Mr	Loney, Mr
Cameron, Mr	Maddigan, Mrs
Campbell, Ms	Maxfield, Mr
Carli, Mr	Mildenhall, Mr
Davies, Ms	Nardella, Mr
Delahunty, Ms	Overington, Ms
Duncan, Ms	Pandazopoulos, Mr
Garbutt, Ms	Pike, Ms
Gillett, Ms	Robinson, Mr
Haermeyer, Mr	Savage, Mr
Hamilton, Mr	Seitz, Mr
Hardman, Mr	Stensholt, Mr
Helper, Mr	Thwaites, Mr
Holding, Mr	Treziise, Mr
Howard, Mr	Viney, Mr
Ingram, Mr	Wynne, Mr
Kosky, Ms	

Noes, 39

Asher, Ms	McIntosh, Mr
Ashley, Mr	Maclellan, Mr
Baillieu, Mr	Mulder, Mr
Burke, Ms	Naphine, Dr
Clark, Mr	Paterson, Mr
Cooper, Mr	Perton, Mr
Dean, Dr	Peulich, Mrs
Delahunty, Mr (<i>Teller</i>)	Phillips, Mr
Dixon, Mr	Plowman, Mr
Doyle, Mr	Richardson, Mr
Elliott, Mrs	Ryan, Mr
Fyffe, Mrs	Shardey, Mrs
Honeywood, Mr	Smith, Mr (<i>Teller</i>)
Jasper, Mr	Spry, Mr
Kilgour, Mr	Steggall, Mr
Kotsiras, Mr	Thompson, Mr
Leigh, Mr	Vogels, Mr
Lupton, Mr	Wells, Mr
McArthur, Mr	Wilson, Mr
McCall, Ms	

Motion agreed to.

PARLIAMENTARY PRECINCTS BILL

Second reading

Debate resumed from 22 March; motion of Mr BRACKS (Premier).

Mr COOPER (Mornington) — I was not supposed to be the lead speaker on the Parliamentary Precincts Bill, but the honourable member for Cranbourne has been called away urgently to see his wife in hospital, so I am filling in for him.

The opposition supports the bill. It is interesting that it has taken some time for it to come to fruition: it goes back a fair way. The bill addresses a number of important issues concerning the activities, control, management and security of this building for both the people who work in it and those who come to see members of Parliament.

The bill was introduced at the instigation of the Presiding Officers of the Parliament prior to the 1999 election when the then Speaker of the Legislative Assembly and the President of the Legislative Council considered the Unlawful Assemblies and Processions Act, which had been addressed by the Scrutiny of Acts and Regulations Committee. That review was carried out and presented to Parliament, and former Speaker Plowman and the President made the original submission on it. The former Speaker, the President and the Clerks drafted the bill in conjunction. Interestingly, the model legislation for this bill is a similar act of the New South Wales Parliament.

The bill gives a clear definition of the parliamentary precinct with the inclusion of the Surveyor-General's plan. Also provided are definitions of an authorised officer, the house, memorandum of understanding and the parliamentary reserve. The security of the precinct will be controlled by the Presiding Officers, including a power of delegation to officers of the Parliament. The bill also provides for the granting of leases and rights of entry to the precincts for the carrying out of works.

The police and protective service officers are being given specific powers to enable them to maintain security in the precinct. The powers in the bill may be exercised without the prior approval of the Presiding Officers. The bill also provides for the establishment of a memorandum of understanding with the Chief Commissioner of Police.

Clause 30 repeals sections 3 and 4 of the Unlawful Assemblies and Processions Act. They define an area bounded by Exhibition, Flinders and Lansdowne streets and Victoria Parade in which it is unlawful to hold a political demonstration or political meeting on a day when Parliament is sitting.

Having been in government and now in opposition, I understand that that restriction may be attractive to governments introducing unpopular legislation, but in a democracy it is unacceptable to stop people from assembling peacefully to indicate either their dissent or their consent to something the Parliament is doing. It is amazing that the banning of assemblies in so wide an area has been on the books for so long. However, the restriction has never been initiated, and the opposition

appreciates why. Any government that asked the police to enforce sections 3 and 4 of the Unlawful Assemblies and Processions Act would have a nasty situation on its hands; nor would it receive the support of the media.

I compliment the honourable member for Cranbourne on the work he has done in researching the bill on behalf of the opposition. He tells me that this part of the Unlawful Assemblies and Processions Act is a hangover from colonial days and that there is no record of a debate in the Parliament on the restriction. As it is a hangover from colonial times — —

Mr Ryan interjected.

Mr COOPER — You tempt me, and I will probably fall for the temptation! It is probably about time that we got rid of sections which have been on the books for so long and which have never been used. That part of the bill is well worth supporting.

All the people contacted by the opposition, including the Presiding Officers, support the bill. The Chief Commissioner of Police did not respond to the inquiry, but one can assume that if he had concerns about the bill he would have conveyed them to either the government or the opposition.

The bill is important because of next month's ceremonial sittings in this house to commemorate the first sitting of the federal Parliament in 1901. The House of Representatives will meet in this chamber and the Senate will meet in the other place. It is important that the legislation is gazetted in time for the celebrations, and the opposition is cooperating with the government on that issue.

I am assuming that the National Party agrees with the bill, so this is not the time to go on at length about a bill that has bipartisan support. However, I will briefly touch on a couple of points. Firstly, it appears that powers will be given to the protective services officers and, by delegation, to the Melbourne City Council and no doubt the Victoria Police to control illegal parking in the parliamentary precincts.

All honourable members will recall that last year they received advice concerning various car parking places that were set aside for them, for staff and for visitors. The parking spaces on the front steps of the Parliament were reserved for members only. I often park my car there, and on almost every day when I arrive for a sitting of the house or a meeting of the Drugs and Crime Prevention Committee I see cars without the correct sticker that are illegally parked. At night when the house is not sitting that area is used illegally by people going to the theatre or a restaurant.

Mr Kilgour interjected.

Mr COOPER — The honourable member for Shepparton says they are used by wedding photographers. I have no problem with brides being photographed on the steps, because they are there for only a short time. However, people who park there for lengthy periods to avoid paying parking fees should be dealt with. I am glad that issue will now be addressed, because it has irritated me for a long time.

The other matter I want to touch on is something I believe is a serious omission from the bill that should be addressed by the Parliament. It is interesting that the precincts of the Parliament as defined include not only this building and its gardens and surroundings but also 35 Spring Street, where parliamentary committees are set up, and the new premises recently acquired across the road at 157 Spring Street. It is reasonable that those two buildings are included in the definition.

What I am surprised about, now that we have the bill before us and have an opportunity to get things right from the word go, is that electorate offices are not included as part of the parliamentary precincts. They would be an appropriate inclusion, because the security provisions and all the other things that relate to the activities of this Parliament are applicable to members' electorate offices. Those offices are really outposts of the Parliament dotted throughout the state. Every member of this house and of the Council has an electorate office, and those offices deal daily, hour by hour, Mondays to Fridays, and sometimes on Saturdays and Sundays as well, with the problems of individual constituents and groups of people within the electorates they serve.

From time to time members have problem people coming into their electorate offices. I have been subjected to that problem. One well-known person is currently sending a lot of emails around and does not restrict his activities only to one side of this Parliament. I note that one member on the other side, who is a minister in this government, is also aware of the activities of that individual. I have had quite a bit to do with him, and I know colleagues on this side of the house have too.

An honourable member interjected.

Mr COOPER — Yes, he spreads his wings, unfortunately. I understand he has an email address list of some 700 names. He is a wonderful guy. He does not use florid or intemperate language in his emails, he just tries to put his point calmly and concisely. Those who have received his emails can tell you, however, that that

counts for nothing when he walks through the door, particularly when he issues threats and, in my case, writs. You have to deal with that. Reasonable protections should be put in place for honourable members and their staff operating in electorate offices.

During my time in this place we have had an instance of a minister in a previous government — a Cain or Kirner government — being stabbed in his electorate office. The Honourable Barry Pullen was stabbed by a deranged person who walked in and attacked him. There are other instances of honourable members being physically confronted, and I am one of those. More than once a person who was slightly around the twist — if I can put it that way — thought that was the avenue open to them.

It is not my personal safety that concerns me. I got elected to Parliament, and if I have to deal with some raving loonies from time to time, as all of us may have to, that comes with the territory. It does not, however, come with the territory for my staff or my family. If my wife happens to be in my electorate office I do not want her endangered any more than I want my staff endangered. I do not think any member in this place would put their hand up and say they do not care about the security of their offices or their staff when they are not there. They do care. That is why they are members of Parliament. By definition they stand for Parliament because they care, so they would certainly care about their staff.

I find it surprising, therefore, that we define Parliament by taking hold of the physical structures here in the city of Melbourne — this building, the building over the road and 35 Spring Street — and saying that only these are the precincts of Parliament. That has no regard to the fact that the Parliament extends from Mildura to Sale and Bairnsdale, to Mornington and Dromana, from Seymour down to Morwell. Every electorate, including each upper house electorate, has an electorate office. The Parliament has 132 outposts scattered around the state. To my way of thinking, and I believe to most people's way of thinking, those offices are a part of this Parliament and should be regarded as part of the parliamentary precincts.

It came as a surprise to me to learn that when the bill was put forward parliamentary officers had said that electorate offices should be included. The minister handling the bill, who I assume is the Minister for Local Government, might be able to tell honourable members whether that recommendation was knocked out by cabinet. If it was, I would like to know why. I would also like to know why the idea was dispensed with so lightly and why there were not some

alternatives. Perhaps the way it was brought forward caused difficulties. I do not know. If cabinet had some difficulties it could have looked at ways of overcoming them so that the level of security and comfort to be provided in this building could be extended to the electorate offices around the state, which house a lot of employees.

Mr Mulder interjected.

Mr COOPER — The honourable member for Polwarth has just reminded me of another point. What is the government proposing to do when we have the temporary sittings of Parliament in Ballarat and Bendigo? It is reasonable to ask whether the parliamentary precincts will be temporarily extended to the buildings where we are going to meet. One would hope so. We would certainly like to have some answers on that matter as well as electorate offices when the minister sums up at the end of the second-reading debate.

I have posed some questions that could be regarded by the Chair as being better posed during the committee stage. I do not think it is necessary to drag out debate with a committee stage, unless of course we get no sensible answers in the minister's response. If the questions I have raised are not answered, the opposition may feel it is necessary to have a committee stage and examine the bill in detail to extract information on the thinking processes that led to electorate offices being removed from the recommendations made by parliamentary officers and, as I was reminded by the honourable member for Polwarth, what proposals are in place to deal with the temporary premises we will occupy during the special sittings of the Parliament in Ballarat and Bendigo in the months to come.

I conclude my remarks by once again saying that in general the opposition welcomes the bill and will support the proposed legislation through this house and the other place.

Mr RYAN (Leader of the National Party) — National Party members support the Parliamentary Precincts Bill and are happy to cooperate with the government, as we usually do, to enable its speedy passage. It is important because of the imminent sittings to celebrate Federation.

The Presiding Officers have been the principal drivers of the legislation, which in many respects addresses some of the annoying outstanding issues that have been part of this place for a long time. I was chair of the Scrutiny of Acts and Regulations Committee during the time of the previous government when the Unlawful

Assemblies and Processions Act 1958 was initially referred for consideration by the committee. The Presiding Officers made submissions to that process, and I am pleased to say that at the change of government the reference was renewed and the committee subsequently concluded its work. What we have before us in the content of this bill reflects much of the excellent work that was undertaken by that excellent committee.

The principal issues raised by the Presiding Officers have been incorporated in the legislation to address matters that have been outstanding for some time. While I am on the topic of the Unlawful Assemblies and Processions Act, it is one of the salient features of this legislation that what were really archaic provisions in that act will no longer apply. It will mean that upon the passage and enactment of this legislation people who want to come to the Parliament and put a point of view, protest or put a position in favour of the government of the day — strange as it might seem in the current context — in a lawful manner will be able to do so without risk of being in contravention of that act. I am pleased to see that that recommendation from the Scrutiny of Acts and Regulations Committee has been given effect.

The essence of the bill has been laid out well by the honourable member for Mornington, who spoke admirably in the absence of the honourable member for Cranbourne, who, because of family reasons, was called away at short notice. I do not intend to trail my way through every provision of the bill.

The construction of the proposed legislation is interesting. Clause 3 provides two definitions for parliamentary precincts. The first is:

- (a) the Parliamentary reserve ...

The definition of 'Parliamentary reserve' includes reference to the schedule containing a certified plan which has been lodged in the central plan office of the Department of Natural Resources and Environment. It relates in essence to those areas of the grounds immediately surrounding the parliamentary buildings. The schedule appears on page 23 of the bill. Literally, the lines are drawn on the map and one can see the extent of the parliamentary reserve.

In addition there are other areas which may from time to time be declared under the legislation to be part of the parliamentary precincts. Those declarations are made under the provisions of clause 6, and they will be pertinent for the other areas that are occupied by the Parliament from time to time.

For example, the Scrutiny of Acts and Regulations Committee, which operates out of 35 Spring Street, is in a building that under clause 6 will be able to be declared part of the parliamentary precincts. The same process will apply with 157 Spring Street, which has recently been leased by the Parliament and will be devoted in part to the operations of committees and other areas of activity that no doubt will be revealed in due course. There are some interesting discussions yet to be undertaken as to what or who those other occupants may be. Nevertheless, they will be accommodated under the provisions of clause 6.

I take up two other points made on this issue by the honourable member for Mornington: firstly, the circumstance of electorate offices not being included in the legislation. I, too, will be interested to hear why that decision was taken by the government. I am certain that I am on common ground with every other member of Parliament in reflecting on the fact that from time to time the very busy tasks undertaken by our electorate officers can be made more difficult by the presence of some people who come through the door. It is imperative that our electorate officers are completely comfortable and have the best possible protection available to them should such difficulties arise.

I hasten to add that in our respective locations — and I am speaking particularly as a country Victorian — we have always had an excellent relationship with the police force, and in the event of any problems arising there are alarm systems through which the police can be called at short notice. There are now different forms of mechanisms and devices within our respective electorate offices which make it more difficult for anybody to encroach on the secure area occupied by our electorate officers. But for all of that the point made by the honourable member for Mornington is right as a general principle and our electorate offices should come within the ambit of this legislation. I would be interested to hear an explanation of why that is not so.

The second point raised by the honourable member for Mornington that is also very valid deals with the fact that in the coming months this house is to sit in Bendigo. Presumably the provisions of this legislation will be used to bring that area — I think it is the town hall — within the definition of a parliamentary precinct.

Those two points are interesting elements of the proposed legislation.

Another matter is that the definition of parliamentary reserve now extends right down to the bottom of the lowest step at the front of the Parliament House building. I understand that over the years there has been

a little uncertainty about that. This bill clarifies the position, ensuring that the police officers and protective service officers who are given the task of securing this building are able to do so with certainty.

I am happy to confess a self-interest — I have won my last 10 fights by six back fences — that I am always delighted that the people out there in uniform are fulfilling the important task of ensuring that security measures around Parliament are maintained in a proper fashion.

The bill recites the chain of command from the Presiding Officers down through the police force to ensure that there is communication between them on the security to be provided for the building. They are all sensible provisions. There are delegation powers, which are necessary, and they are confined in the proposed legislation in certain respects. For all practical purposes, the bill is drawn in a very sensible fashion. It will fulfil the task of accommodating those issues which were outstanding under the Unlawful Assemblies and Processions Act and tidy up some of the matters that have been long due to be addressed. I am pleased to say on behalf of the National Party that it supports the bill.

Mr MILDENHALL (Footscray) — I am pleased to take the opportunity to support the bill on behalf of the Premier, in whose name the bill is being debated in the chamber.

The previous speakers have clearly outlined the purpose of the proposed legislation and its origins, particularly the urgency which is obviously created by the historic and ceremonial joint sitting of the commonwealth Parliament in our chambers — formerly its chambers, although temporarily — during early May. It is important that the legislation is promptly passed through both houses.

An interesting feature of the proposed legislation is that the original legislation this bill succeeds was dreamed up and passed in 24 hours after a riot in this Parliament.

Mr Robinson — In the opposition rooms?

Mr MILDENHALL — No.

Mr Robinson — Not that riot?

Mr MILDENHALL — I do not know whether it was a forerunner of the party meeting of the parliamentary Liberal Party, but there was a riot in August 1860.

An Honourable Member — When?

Mr MILDENHALL — In August 1860, and that led to legislation being drawn up fairly hastily and being passed the next night. So hasty was it that some members had cause to ask for a copy of the bill they were about to vote on because none were available for their perusal.

The legislation obviously results from the recommendations of the Scrutiny of Acts and Regulations Committee, which recommended that the current legislation be repealed. That is not about to happen, but the committee's major recommendations have been picked up. They are: to define the parliamentary precincts; to confer responsibility for the control and management of the precincts on the Presiding Officers; to give power to the Presiding Officers to enter into agreements with Victoria Police; to allow the Presiding Officers to delegate their powers to appropriate officers, some of whom are sitting before you at the moment, Mr Acting Speaker; and to create offences to apply where people enter or remain within the parliamentary precincts without authority.

They are fairly light-handed regulations compared to what has happened in the past. The existing legislation includes the provision that if you are part of an assembly of 50 people or more who approach the Parliament in an unauthorised way you could be given six months hard labour for the very act of being present. The parliamentary precincts as currently defined include all the space between Lansdowne, Flinders and Exhibition streets, which I imagine takes in the Liberal Party headquarters.

Assemblies of 50 people or more assembling there for riotous purposes constitutes an offence under the existing legislation. The existing legislation also includes the area up to Victoria Street. The current parliamentary precinct is bounded by Exhibition, Victoria, Lansdowne and Flinders streets. It is quite broad. Any group of 50 people or more assembled in that area are liable to six months in jail with hard labour — just for the —

Ms Duncan interjected.

Mr MILDENHALL — Yes. In fact, one part of the legislation which is not being repealed is surprising. Section 10 of the Unlawful Assemblies and Processions Act, which covers party processions, states:

Any body of persons who meet and parade together or join in procession or who assemble in any public house tavern or other place within Victoria ... or have publicly exhibited any banner emblem flag or symbol the display whereof may be calculated to provoke animosity between Her Majesty's subjects of different religious persuasions —

this might have been the forerunner of the racial and religious vilification legislation —

or who are accompanied by any music of a like nature or tendency, shall be and be deemed to be an unlawful assembly ...

So I think this was clearly aimed to prevent any St Patrick's Day parades or trade union parades — —

Ms Duncan interjected.

Mr MILDENHALL — To arrest the Trades Hall choir, yes. Some would say that would be appropriate!

When one thinks of how often gatherings of 50 or more people have assembled in front of this place, one realises that that must be one of the more frequently breached acts of Parliament.

I should make brief mention of the incident that led to the original legislation, both the Unlawful Assemblies and Processions Act of 1958 and the legislation that was produced overnight back in 1860. It would be interesting to speculate what that scene would have been like. There were some interesting issues around at the time that were appropriate to protest about.

An honourable member interjected.

Mr MILDENHALL — No, not the performance of the parliamentary dining room! It was industry protection — so national competition policy or its early variation — the performance of the government in education and reform of the Legislative Council. The population was concerned about that and expressed 'considerable frustration over constant meddling from the squatter-controlled Council' of the Victorian Parliament.

I am indebted to an extract from Ray Wright's *A People's Counsel*, the riveting history of the Victorian Parliament, for the following information. Around the eastern market, which I understand is the site of the Southern Cross Hotel, a crowd gradually grew on the night of 28 August 1860. By dusk they numbered 3000. Gradually the temper grew more angry with cries of, 'A vote, a rifle and a farm'. They congregated on the front of the U-shaped Parliament House. The radical traditions in Victoria are interesting.

Many of the protesters wore red ribbons, a symbol of defiance from the Eureka Stockade.

Apparently at 6.30 the Legislative Assembly adjourned and there was a tense environment. At 7.30 the Assembly was reconvened, but the crowd was agitated.

The odd stone was thrown at the Assembly and the newly completed library — and then more. Provocateurs in the crowd urged that the chamber be occupied. A window was smashed. Pushing and jostling began, the crowd moved towards the doors of the Assembly, missiles were hurled, and the cries of the crowd built steadily to a roar.

Police reinforcements were rushed to the scene as the mob began to surge to and fro. People were trampled, rocks were heaved into the library.

Unfortunately the workers on the Parliament House building had left much construction litter, as it was called, around the place, so that provided the unlimited ammunition for the riot, and the high clerestory windows of the Legislative Assembly were smashed.

One policeman and then others were badly hurt from a barrage; bleeding and unconscious, they were given refuge in the corridor immediately behind the main entrance doors to the chamber. Outside the crowd heaved, yelling all the time for a land act, for their parliamentary supporters or opponents, for justice.

It was an extraordinary scene, and it led to the Lord Mayor of Melbourne reading the Riot Act and what was regarded at the time as a fairly determined effort by the police with batons and boots flailing to drive the crowd back from the front steps of Parliament.

It is interesting that that incident led to immediate draconian legislation and to the existing legislation still containing provisions such as a magistrate being able to enlist the assistance of any fit and competent person, to swear in special constables to defend the Parliament and to stand in front of the Parliament and read the Riot Act, which still exists in the form of:

Our Sovereign Lady the Queen doth strictly charge and command all persons being here assembled immediately to disperse themselves and peaceably to depart to their own homes. God save the Queen!

That is the existing provision for clearing the place.

This legislation has fascinating antecedents, and it has been hastened through the chamber as part of that tradition. But it is needed. The clarification is needed. We need to have clear powers. We cannot allow incidents such as the Footscray branch of the Liberal Party being allowed to have their scuffles without someone clearly having the ability to intervene or near riots among members of the parliamentary Liberal Party on the back verandah of the dining room. We need to be able to deal with these matters, which can arise in unexpected ways. We need to have the power to intervene quickly and clearly. Above all we also need to provide a clear head of power and authority to enable our federal colleagues to enjoy our hospitality within the next couple of months.

With those few comments I exhort all honourable members to participate in the speedy passage of the bill.

Mr BAILLIEU (Hawthorn) — I support the Parliamentary Precincts Bill, as has been indicated by our lead spokesman. I guess I am a new member here, and there are many aspects of parliamentary privilege and the precinct to learn about. I am certainly undertaking that. However, I have also been here on many occasions in a previous guise and at many different times. I have been here when Parliament has been bubbling, so to speak, and so have the streets. I have seen Parliament in tough times as well as in placid times.

Although the bill will not move and shake Victoria and the people of Victoria are probably not hanging on every word of the debate, it is important to get it right. I would like to refer to a number of matters as somebody who has been all over the building and in my previous guise as an architect as somebody who has observed the building and its precincts over some time.

Clause 3 is interesting because it seeks to redefine the Parliament reserve by means of a plan that is attached as a schedule to the bill. I invite honourable members to look at the plan. The point I make is that it is very much a plan. It certainly defines the proposed precinct, the boundaries essentially being Spring Street, Macarthur Street, Little Collins Street, the public gardens reserve and St Peters Church of England off Albert Street.

The interesting thing about that, as I said, is that it clearly allows those charged with the responsibility for parliamentary security to do as they see fit within the terms of the bill and the plan.

There is another issue I would like the minister to address, and that is the vertical dimension of the plan. At what height does the parliamentary precinct begin and end? While that may seem somewhat pedantic, it is nevertheless important, and in his response I invite the minister to give some thought to what is implied. Perhaps it is covered in existing acts and provisions, but it would be of concern if somebody were able to do in the air, or between the various buildings that make up this precinct, something they would not be able to do if they were on the ground. While that is one part of the dimension issue, there is another part to it.

I do not want to publicly reveal all the secrets of the parliamentary precinct, but those of us who have had the pleasure of taking a tour of the building over the years — and I have perhaps been in some places that other honourable members have not — know that there are, to put it simply if not obliquely, subterranean parts

of this place that provide access to various areas. Whether or not the definitions of the parliamentary precinct in clause 3 and in the schedule apply to those areas is another question I would like the minister to address in his response. As I say, having a plan is fine, but we need to address those other issues.

I also note that clause 4 gives the Presiding Officers exclusive power to take action to secure the Parliament, to the extent that that power is not removed by the bill. In other words, this is about the security of the Parliament. As a new member and as someone who has an architectural eye I make observations about the security aspects of the building, which have concerned me since I was elected to this place. I will briefly mention some of those — although again I do not want to put too much on the record.

There are a number of entrances to this building. The security provisions at those entries may in some people's minds be effective, but in the eyes of others, including those of a criminal bent, they may not be as effective as we members of Parliament and the staff of this building suppose and hope. There are entrances at ground level, entrances at a subterranean level, entrances at the first floor level and arguably entrances above. The delightfully and colloquially named chookhouse is another aspect of security that requires examination.

When it comes to vehicle entries to the precinct, we in this place recently had cause to arrive in unconventional ways. I believe that again raises a matter of security that I invite those charged with the responsibility of protecting this place to look at.

Last year I had cause to invite parliamentary staff to advise me on the records of those who had been visitors to the Parliament. At that stage there were no such records, which struck me as an aspect of security that needed addressing. In some respects it has been dealt with, because there is now a visitors book in the foyer. But not everybody who comes into this building signs in, which means there is no absolute record of who comes and goes. While we have all observed the video cameras around the precincts, there are nevertheless some uncertainties as to the record those video cameras keep.

During a non-sitting period I have also had the experience of finding in this chamber a visitor who was unescorted and without a tag. Although the visitor was entirely benign, there was no reason for him to be in this chamber at that time. Again that struck me as raising an issue of security that should be addressed.

There are many reasons to be diligent about the security of the parliamentary precinct. Recent examples in the federal Parliament have reminded us that it is only at times of stress that security measures are tested. Fortunately this building has not had to endure any great stress — although I have been here in rough times, when the Presiding Officers, the parliamentary staff and the protective services officers have done excellent jobs. I believe we need to insert into the debate a filter that asks, 'What about when this place is under the sort of stress that other parliaments have been under?'

I believe there are security issues we need to address, and I invite the Presiding Officers to make a security audit of the building. I know that security issues were addressed when the completion and upgrade of this building was contemplated in recent years, so I would be surprised if an audit was not undertaken at the time. I would be disappointed if that audit did not lead to the taking of additional security measures.

There are of course the quirky things, such as what protective services people do with those of ill intent. I understand that although there is a jail in this building that was once used to restrain those who needed to be restrained, it is currently not occupiable for that purpose. Having cheerfully visited it as a tourist in recent years, I can vouch for the fact that it would now be very difficult to restrain somebody in it.

As other opposition speakers have said, while we support the bill there are significant questions that need addressing. I offer for the minister's consideration those matters that I have raised in good faith. I acknowledge that, as I said, this bill will not move the hearts and minds of Victorians, but we are being diligent in working to ensure the safety of everybody who works in this building, including the staff and visitors.

Sitting suspended 6.31 p.m. until 8.02 p.m.

Mr LONEY (Geelong North) — The Parliamentary Precincts Bill provides for a number of things relating to the security of the Parliament. It is an interesting bill in that it attempts to achieve a balance between the public's right of access to this institution and reasonable security arrangements for members of Parliament and the staff who work around the building.

It is true to say that as a nation we take pride in the fact that we do not necessarily have the same security arrangements as are seen in many other parts of the world. Honourable members who have visited parliaments elsewhere would be well aware of the security arrangements at many of them. The security

arrangements at our national Parliament are much greater than they are here. We have come to expect and enjoy a level of security around this building which is somewhat more relaxed than in other places. Although there have been some incidents in the past we have not had any great rash of incidents which would lead us to have far more draconian security arrangements for the building than are currently in place — and that is a good thing.

This bill recognises that times change and that occasionally it is appropriate to modify the security arrangements or at least make provision for a different type of security arrangement should it be required. This bill has largely been based on the findings of the Scrutiny of Acts and Regulations Committee and brought forward from there. It is about putting in place appropriate security arrangements for this building for the future.

In doing that it also does a raft of other things. For probably the first time it details precisely what forms the parliamentary precinct. It was interesting to read in the background material that there has been some doubt as to exactly where the parliamentary precinct begins, whether it begins at the first step on Spring Street or on the first step of the intermediate road above Spring Street. This bill makes it clear that the precinct begins from the first step at Spring Street. Therefore, the Presiding Officers have the power to make arrangements from that point forward.

Over the years honourable members have seen a number of things occur around the building. There have been many demonstrations and rallies involving many thousands of people outside this building at the intersection of Spring and Bourke streets. I can think of a couple at which it was estimated that more than 100 000 people were standing in that area demonstrating against various things. However, the fact that large numbers of people turn up does not necessarily mean incidents will occur which warrant some form of overboard or draconian security arrangement, and that has not been the case in the past.

Before I was elected to Parliament I had an appointment with a former Premier on a day when there was a demonstration taking place outside. The window of the Premier's office at Parliament House was broken and attempts were made to secure the building. All the large wooden doors at the front were pulled shut and the whole building was secured. Fortunately I was able to gain entry and get away from the mob outside. Those things do occur occasionally but they are not an everyday or common occurrence. We should value the fact that the people of Victoria have a right of access to

this place, which is rightly referred to as the people's house. That right of access must always be borne in mind when we are considering appropriate arrangements for the safety and security of those who work here and the right for arrangements to be put in place for that.

In essence this bill sets out to detail the appropriate arrangements to define the parliamentary precincts, to define the powers, to give a power of delegation from the Presiding Officers which did not exist previously and to make it absolutely clear that they have the power within this building to do or direct certain things to occur.

Honourable members interjecting.

The ACTING SPEAKER (Mr Seitz) — Order!

Mr LONEY — The bill makes it clear that there is a power to order unruly people to leave the premises. It is probably fortunate that this bill has not yet been passed or you, Mr Acting Speaker, may have been able to take even greater action than you just did.

The bill will allow an appropriate level of security, of delegation and of ability to respond to situations that may occur and that we hope do not occur in this place. It will do it in the context of having a level of security that is still acceptable to the community at large in its visibility and the way it is presented. The community does not wish to see high levels of security visible around public buildings, but it does expect that appropriate levels of security are in place to protect people in buildings such as this. The bill meets the balance quite well. I hope it passes quickly through the house.

Mr ROWE (Cranbourne) — The Parliamentary Precincts Bill provides for the control and management of security in the parliamentary precincts and repeals sections 3 and 4 of the Unlawful Assemblies and Processions Act.

The opposition supports the bill but is a little disappointed that the apparently open and transparent government has once again proven that those phrases are given as a lie in the execution. As parliamentary secretary to the Leader of the Opposition, I consulted with the Presiding Officers, who were the sponsors of the bill. They were most forthcoming. Speaker Plowman in the previous Parliament and President Chamberlain made a submission in 1998 to the Scrutiny of Acts and Regulations Committee. The bill has an impact on the powers of police and the execution of their duties in and around the Parliament.

I wrote to the Acting Chief Commissioner of Police requesting his input on the powers being bestowed upon police around the parliamentary precinct. I was disturbed and disappointed to receive a letter which states:

I refer to your letter to Deputy Chief Commissioner O'Loughlin (currently the Acting Chief Commissioner) of 22 March 2001 requesting comments on the Parliamentary Precincts Bill.

In line with the established protocols, may I ask you to please refer your request to the Minister for Police and Emergency Services in the first instance.

What a lot of codswallop! The government claims to be open and transparent. It claims to have taken the gag off public servants, teachers and the police, but Superintendent Dowse, who is staff officer to the chief commissioner, had the audacity to write that letter in response to an inquiry by a member of Parliament about police powers and the exercising of them in the precincts of Parliament. It is really not Ray Dowse's fault because obviously the Minister for Police and Emergency Services has directed that no communication should be undertaken with any member of Parliament other than by himself. It is an absolute disgrace that the Acting Chief Commissioner of Police should be gagged in such a way.

The Presiding Officers sought to more precisely define the boundaries of the parliamentary precinct, which has not been done before. The inclusion in the bill of the Surveyor-General's plan as an addendum will give more certainty to the administration of directions by the Speaker, the President and those persons delegated by them to provide for the security of the Parliament.

The bill provides that the Speaker and the President may delegate the ability to direct people to provide security for the parliamentary precinct to officers of the Parliament. It has been a problem in the past because previous acts have required the Speaker and the President to directly instruct police to exercise their powers to secure the Parliament. In some instances it resulted in undue delays in the securing of the parliamentary precinct from demonstrators. The powers are given not only to police but also to protective service officers who can be directed, under delegation, by the Clerks of the Parliament.

It is a long time since I was a member of the Victorian police force, but when I was stationed at Russell Street police officers looked upon the assignment of security of Parliament House as something of a punishment particularly on afternoon and night shifts when the Parliament was not sitting. We had to patrol the

external boundaries of the designated precinct of the Parliament.

At that time we had what were called half-hourly points. One half-hourly point was on the north-eastern corner of the parliamentary precinct.

An honourable member interjected.

Mr ROWE — The north-east. From there we had to patrol around the external perimeter of Parliament House, including the gardens, to a half-hourly point on the south-eastern corner. You had to walk damn slow to take half an hour to get there — an absolutely boring pace. You had to take three steps forward and four backwards to get there in half an hour.

One of things that used to take place in the precinct was baton target practice. In case anyone has found it, I am still missing a baton from the last time I was assigned to Parliament House. I was unable to find it in the garden after I took aim and shot at a possum. So be it. I made the required recompense for the lost baton, but if the gardeners happen to find the baton some 17 years later I ask them to give it back to me so I can get a refund!

One of the other aspects of serving as a policeman at Parliament House was that when Parliament was not sitting you were not allowed inside the building. In fact the only people who were allowed inside the building were the firemen. The engineer's room downstairs used to be the fireman's room. The fireman used to have his kettle and hotplate in there for warm meals and hot coffee, but the police officers had to stay outside and walk the perimeter of Parliament House, which was very boring. I am pleased to see that the protective services officers now serve inside Parliament House with the support of sworn police officers when there is a problem.

The bill also repeals sections 3 and 4 of the Unlawful Assemblies and Processions Act. Those sections are a hangover from the colonial days — I understand they were passed as law in Victoria in 1869. The provisions make it unlawful to hold a political meeting, hold a meeting to discuss a petition or speak while Parliament is sitting within an area bounded by Exhibition Street, Flinders Street, Lansdowne Street and Victoria Parade. One of the problems the Liberal Party has with that is that Liberal Party headquarters are within that precinct, so if those provisions of the act are not repealed it will be unlawful to hold political meetings at 104 Exhibition Street while Parliament is sitting!

The community of Victoria and Australia generally is used to freedom of speech and political expression. The repeal of the draconian provisions of the Unlawful

Assemblies and Processions Act go some way to ensuring that Labor Party members will not be locked up when they decide to rabblouse and bring their trade union mates with them — although one must say that the provisions have never been utilised in the 132 years they have been available. In the past there has been strong resistance to enforcing them.

Being a bit frivolous, I must say I was tempted today to approach the police officers on the steps of Parliament House and remind them that Parliament had not yet repealed the provisions of the act and that the people who were assembled on the steps of Parliament House were there illegally. That is the ludicrous nature of the provisions: the people who were assembled there to express their lawful right of freedom of speech could have been deemed to be in breach of an act of Parliament. That is not modern Australia or modern Victoria.

The opposition supports the bill, which defines and secures the precincts of Parliament House and clarifies the responsibilities of police and protective services officers.

Mr ROBINSON (Mitcham) — The purpose of the Parliamentary Precincts Bill has been adequately detailed — and given the previous contribution, some would say it has been overdetailed. Nevertheless, honourable members have given the house a good understanding of why the bill has been introduced.

The schedule to the bill sets out what is effectively Robert Hoddle's survey plan for the parliamentary precinct, which goes back 150 years. All Victorians owe Robert Hoddle a debt of gratitude for the exemplary manner in which he conducted his surveying activities early on in the colonial days of this state.

His role is adequately recorded in *A People's Counsel* by Raymond Wright, which was referred to earlier. I briefly mention the reference to the contribution of Robert Hoddle, our first Surveyor-General, to the establishment of the parliamentary precinct. In doing so, I draw attention to a grave disservice that was done to him.

At pages 22 and 23 of *A People's Counsel* one reads that in 1851 Governor La Trobe instructed his Surveyor-General to find a suitable site for a legislative chamber. Finally, some three years later in 1854 — people can draw their own conclusions from that — the Legislative Council got around to deciding where that site should be.

A government member interjected.

Mr ROBINSON — This is my book! I paid for it, but you are welcome to borrow it if you wish. The Surveyor-General decided that the parliamentary chamber in which we serve should be located on the southern side of an extended Bourke Street. Robert Hoddle proposed that Bourke Street should continue beyond Spring Street towards what is now called East Melbourne, and he gave detailed consideration to the recommendation.

However, as is the wont of the Legislative Council, that recommendation was overturned and the current site was chosen. The text states:

Hoddle was disgusted. He was convinced that the reason for the placement of Parliament House was sectarian bigotry.

The text concludes — this is where the injustice has been perpetrated — that on 8 April 1854 the Legislative Council voted 19 to 11 to reject the recommendations of the esteemed Surveyor-General and chose to put the parliamentary precinct where it is today.

Much as honourable members benefit from serving in this place, it is not where Robert Hoddle wanted the precinct located. He had the view that Bourke Street would be Melbourne's pre-eminent boulevard, and for that to happen it had to continue through to East Melbourne.

Two conclusions may be drawn from this lesson of history. Firstly, we should be grateful that bigotry and claims of bigotry are far less common today than they were in the middle of the 19th century. Secondly, and most importantly, we can conclude that the methods of the Legislative Council are as curious and as open to interpretation today as they were 150 years ago. I am sure that all members, particularly those on this side of the house, would agree with that conclusion. The bill is sound, and the reasons for it have been clearly outlined to the house. I wish it a speedy passage.

Mr LUPTON (Knox) — The main purpose of the Parliamentary Precincts Bill is to control the management and security of the parliamentary precincts, which is the part I wish to discuss. Security in this place is non-existent. Anybody can come in through the front door, where there is no metal detector. Sometimes an orderly will take your bag, and occasionally someone will wave a wand over your body — but that is about as hard to do as catching the flu! When you come in the back door security is also non-existent, because the metal detector is always turned off. To get in the side door all you need to do is wait for members to come through and follow them — and then you are in the precincts of the house.

Once people get through to the front or back doors they are given a tag of whatever colour, after which they can walk right through the building without being challenged. They can finish up in your office, as has happened in the penthouse on the third floor, where I have had people waiting for me. All they had to do was walk through one of the doors, obtain a tag and wander through the building up to my office.

I saw an amazing breach of security during the gun debate, when I shared an office with the former member for Ballarat East. A gentleman came into our office and undid the bag he was carrying, which contained a cannon and five antique revolvers, despite having passed through security. The cannon was a small one of the type used to start boat races. Honourable members who were in the Parliament prior to the introduction of the gun laws will recall that when the laws were introduced those cannons were initially banned. This person brought that cannon and antique revolvers into our office, where we discussed the various gun laws. He had passed through the security entrances of this building, which is supposed to be sacred to a degree but where people can wander in at will.

I have been fortunate to visit other parliaments throughout the world, so I realise that the security in this place is an appalling joke. I came in to the house last Sunday and parked in front of the building. While I was able to park easily I saw four other cars parked there without a parliamentary sticker.

They were parked there, and apparently a protective services officer does not have the power to apprehend or book them. They park there as a way of parking free in the middle of the city. I find that amazing.

I had to come in here one weekend when the S11 demonstrations were on. I would have thought, in view of what was going to occur in the city of Melbourne on the following Monday, Tuesday and Wednesday, that the Houses of Parliament would have been reasonably secure. Instead I found cars without the appropriate stickers being parked along the front of Parliament House. I find that amazing. It is to be hoped that the proposed legislation will give the PSOs and the police the necessary power to take action against such people and increase the security of the building.

I note that 35 Spring Street and 157 Spring Street have also been included as parliamentary precincts. As the honourable member for Mornington said, there are 132 electorate offices around the state, staffed in the majority of cases by women. They have to cop abuse and so on at different times. Most workers at 35 Spring

Street need a keycard to gain access to the building, yet anyone can walk in the door of any electorate office from Sale to Mildura and right down to Polwarth and be treated with civility, but if that person decides to take offence at the person behind the counter, security is non-existent.

My understanding is that electorate offices were to have been declared parliamentary precincts until somebody decided they would not be part of the deal. It will be interesting to hear from the minister why the 132 electorate offices around the state are not to be given the same protection as 35 Spring Street or 157 Spring Street, let alone greater protection. I find it amazing that we have not looked after our electorate staff.

Previous speakers have talked about how former members have been assaulted, abused and threatened and their staff threatened. I do not believe it is appropriate that when a member of Parliament is away from the office there is not suitable protection for his or her staff. I am paid to be a member of Parliament; that is my choice. I have to cop it, and cop it sweet. I have been abused by some people and congratulated by others. Members of Parliament are abused and threatened. Although I might be able to take it, I do not believe the staff who work for me or for any other honourable member should suffer the abuse that comes across the counter. I cannot understand why electorate offices are not included among the parliamentary precincts. The minister should have a good excuse. I presume the cabinet or some other genius decided to pluck that idea out of the air.

As I have said, people can wander around Parliament House. They can walk in the front door or the back door, get hold of a tag, and then have free rein to walk wherever they want in this place. The only place they will get picked up in, apart from the members' dining room, is the members' bar. Apart from those places they can go anywhere. They can sit in the strangers corridor and have a cup of tea without being challenged for quite some time.

If I want to go over to the chookhouse to see the Parliamentary Services staff and do not have my pass with me, and there is no government member sitting out the front, I have to push the button. On one occasion the lady was not at the counter, so I pushed the button again — and again got nothing. After pushing it a third time I pushed the other button, which goes to the back door. The security bloke said he could not help me, that I had to speak to the receptionist. While I was saying what I thought about the fact that I could not get in the receptionist came back and I gained entry.

The point, Mr Acting Speaker, is that security in this place stinks. You cannot get into Parliamentary Services in the chookhouse but you can wander around this building once you have walked in the front door or the back door. Once you have a tag on, you have free rein. I am hopeful that with the passing of this bill someone somewhere will look after the security of this place. We cannot afford to continue with the situation we have at the moment.

The bill is sound, but I would like to know why the electorate offices were excluded. I will listen with great interest when the minister makes his response and explains why the 132 electorate offices throughout the state have been left out of the arrangements for parliamentary precincts.

Ms BEATTIE (Tullamarine) — The Parliamentary Precincts Bill has caused wide-ranging debate, which I am happy to join. The genesis of the bill was a review by the Scrutiny of Acts and Regulations Committee of the 1958 Unlawful Assemblies and Processions Act. The committee considered the law enabling Parliament to be secured from disruption during assemblies and demonstrations. It found that the power of the Presiding Officers to control and ensure the security of Parliament under parliamentary privilege, although long established was not broadly understood, and that this legislation was needed to clarify the rights and privileges and to define the areas of the parliamentary precincts.

The chair of the Scrutiny of Acts and Regulations Committee when it produced the report of its review was the Honourable Maree Luckins in the other place. Just yesterday she told me that her picture is on the inside cover of the report. I am happy to tell you, Mr Acting Speaker, that my picture is on the cover of the report, because I was participating in that demonstration against the Kennett government and what it did to tear away workers' rights — the dismantling of the Workcover legislation.

That is not the only demonstration against the Kennett government in which I was involved. Like many other honourable members I was involved in the demonstration on that 10 November on the steps of Parliament House, which would be covered by the Parliamentary Precincts Bill, and I think 110 000 other Victorians were also involved in that march.

Shamefully, tonight the other house is blocking more legislation to do with workers' rights. There might be another demonstration, but this time the precincts will be clearly defined. However, in all the demonstrations and assemblies I was involved in the police did not

need to protect the Parliament because the people were peacefully demonstrating against a cruel government that was tearing away their rights.

A government member interjected.

Ms BEATTIE — They were black days under the black hand of the Kennett government, and that is still going on given the shameful exercise that is occurring in the upper house tonight.

Honourable members have heard about the sorts of happenings in the parliamentary precincts that would be covered by the bill, such as battens being hurled at possums, outbreaks of violence in Room K and events on the back deck, where violence almost occurred.

I could go on because I am also a member of the House Committee, which also looks after the parliamentary precincts, including the gardens and the refreshment rooms of Parliament House, which are the cause of many long debates. Members of the House Committee are concerned about the quality of the refreshment rooms.

This is a good bill that will protect those who work in Parliament House. I commend it to the house.

Mr THOMPSON (Sandringham) — The main purpose of the Parliamentary Precincts Bill is to provide for the management and security of the parliamentary precincts.

Some three or four years ago I had occasion to attend a boardroom lunch arranged at the ANZ Bank. One of the speakers at the lunch was a gentleman named Leonid Kravchuk, who may be well known to members on the other side of the house. He was the Minister for Propaganda in the former USSR and was one of three people who signed the document dissolving the Soviet Union.

At the boardroom lunch, which was presided over by members of the Ukrainian community, I had the opportunity of asking Mr Kravchuk why, as a former head of propaganda in the USSR who later became the President of the Ukraine, with its population of 53 million, he signed the dissolution document. He made the comment that people valued their freedom, so on that basis he was prepared to sign the document.

In Australia we are fortunate to have the opportunity to appreciate and enjoy the fundamental human freedoms to think, choose, act and worship independently. In addition, we have the right to freedom of association.

Another story relates to a lunch held by the Romanian community at the back of Trades Hall, which I attended in an official capacity. Reference was made to Aleksandr Solzhenitsyn, and afterwards someone came up to me and said that Solzhenitsyn was their hero. I asked a few questions, and it turned out that because of his views of life and the world that person had spent 16 years in a Romanian jail.

One of the great things about Australia is that as a community of over 160 different nationalities we have the opportunity to forge a nation that is underpinned by a legal system and a way of life that gives its people the right to express their viewpoints through the democratic process.

I had the opportunity of participating in the review of this bill by the Scrutiny of Acts and Regulations Committee. I recommend a perusal of the report to any student of history. I understand the report has a picture of the honourable member for Tullamarine on its front cover and photographs of other members of the committee on the inside cover.

Recommendation 5 of the committee's report is that a new act should:

... define in detail the parliamentary precincts, and extend the definition to include property other than Parliament House which is owned or occupied by the Parliament ...

The bill achieves this purpose by clearly defining the Spring Street boundary, including the number of steps up from Spring Street.

The committee also recommended that a new act should:

... confer responsibility for the control and management of the parliamentary precincts on the presiding officers ...

The bill does that. I note that it also enables the Presiding Officers to enter into a memorandum of understanding with the police to delegate some of their powers.

I would have had some concern about what the memorandum was to include, but I note that the Presiding Officers are to govern what is in the memorandum. Under the democratic traditions of this chamber and the other place the Presiding Officers are elected by their peers, so I am confident they will exercise discretion as to the parameters of the memorandum of understanding.

In addition, the bill allows the Presiding Officers to delegate their powers to appropriate parliamentary officers, such as the Serjeant-at-Arms and the Usher of

the Black Rod, and to create offences to apply to people who enter or remain within the parliamentary precincts without authority or after authority has been revoked. The legislation goes into some detail about the powers of the Serjeant-at-Arms and other parliamentary officers to ask people to leave the premises and to take appropriate action if they do not do so voluntarily.

In the past eight years there have been a number of occasions when dissent over government actions has been expressed not only outside the front of Parliament House and at the rear points of access and egress but also in the chamber, itself. It is a great feature of our democratic community that even in the past eight years by and large those powers of protest have been exercised responsibly.

That can be contrasted with the situation that occurred in the national capital a number of years ago, where people broke down the doors and forced their way into the federal Parliament, in which process some people were injured.

The bill adopts a number of important recommendations made by the Redundant Legislation Subcommittee of the Scrutiny of Acts and Regulations Committee in its *Review of the Unlawful Assemblies and Processions Act*.

We on this side of the house support the bill. It illustrates the tremendous work that can be done by all-party parliamentary committees in reaching consensus positions in the best interests of the people of Victoria.

Mr SEITZ (Keilor) — I support the bill, which further clarifies the precincts of the Parliament in the regulations and acts that have already been proclaimed.

I draw the attention of my colleagues to the former member of the Legislative Council who had the unfortunate experience of having the Unlawful Assemblies and Processions Act used against him before he became a member of Parliament. He came to Parliament to protest with a group of Italians from the Bonegilla migrant camp, where the food and conditions were terrible — and from reading the paper today one can see that the same situation is occurring at a number of migrant centres. He led a delegation to Spring Street, made his way into the chamber and put up a placard and banners. Of course, the Serjeant-at-Arms, who had the power, arrested him, and he was placed in the dungeon, which is somewhere downstairs.

The former member of the Legislative Council for Melbourne North Province, Giovanni Sgro, was the person who was locked up — because he had the

audacity to come to demonstrate in this place. That caused all sorts of kerfuffles at the time. Once he was locked up it was a matter of clarifying who had the power to release him and what penalties could apply. It was uncertain whether the police could release him and take him before a Magistrates Court and have him charged. So before he was a member, Giovanni Sgro was locked up in this place. That led to the act applying to the parliamentary precincts and procedures being looked at again.

The worst thing was that his actions were held against him in his application to become an Australian citizen, because at the time it was considered un-Australian to demonstrate and protest. Giovanni Sgro could not get his Australian citizenship until the Whitlam government was elected. That government changed the law, which enabled him to become an Australian citizen and, later, a member of this Parliament in the Legislative Council.

One of the previous speakers said that the principal act had never been used. It was used — to lock somebody up when it was not known how else to deal with the situation. The Clerks can read the history of that in *Hansard*. I hope this bill will clarify how such situations are to be handled.

We have come a long way since those days. I hope that people who take part in future demonstrations on immigration matters will not be treated as unfairly as Giovanni Sgro was. Yesterday there was an unfortunate case involving a person demonstrating in Canberra. People are sometimes driven to take desperate steps, and any law governing the parliamentary precincts should not be used against them on that basis. I welcome the bill because it clarifies the situation. It is important that a person can have his day in court, even though sometimes it might be the boss's court, as it is referred to in the trade union movement.

The bill is also about union members who take part in demonstrations and rallies outside this place — peacefully, as they always have — knowing where they can go, where they can step, where police authority lies and whom to negotiate with when organising those demonstrations and rallies. Not only unions but other community groups and their leaders have conducted candlelight vigils and various other activities out there.

It comes down to who cleans up the steps and who pays. Once after a candlelight vigil there was candle wax all over the steps, which Parliament cleaned up at a big expense. That led to some discussion about getting the people who organised the rally to foot the bill for cleaning the precincts. I hope all such matters —

including parking at the front and at the back and making the precincts safer for all members — will be clarified by this bill.

With those few words I commend the bill to the house and wish it a speedy passage.

Mr DIXON (Dromana) — As a member of the Scrutiny of Acts and Regulations Committee I commend my predecessors on the Redundant Legislation Subcommittee on the background work they did on the legislation we are now debating, including their review of the Unlawful Assemblies and Processions Act of 1958. The honourable member for Sandringham outlined the recommendations that, almost word for word, mirror the provisions in this bill.

However, one of the recommendations which has not been picked up but which has been mentioned by a few members is the first dot point at recommendation 5, which is about the need to:

... define in detail the parliamentary precincts, and extend the definition to include property other than Parliament House which is owned or occupied by the Parliament.

I think the 132 electorate offices around the state and the offices in the committee building at 35 Spring Street should be included in the legislation, not so much for the sake of members, as most members have said, but for the protection of the staff who, when we are going about our business in Parliament or out in our electorates, are often left alone to head off a few protests and some angry — and on some occasions, unbalanced — constituents. Those officers need an extra level of protection. I would be interested to hear the minister's response on why our electorate offices and the committee offices in the building at 35 Spring Street have not been included in this legislation.

In their submission to the subcommittee police officers made some good points that have been picked up in this legislation. They were keen to ensure that the boundaries of the parliamentary precinct were clarified. They said the boundaries that were then in place were too widely defined and obviously unworkable. They also said that if the Presiding Officers were not available there was no-one in the chain of command to talk to to work out the boundaries for a particular demonstration. That caused considerable delay and a lot of uncertainty. Under the bill the Presiding Officers will be able to delegate their authority to the Serjeant-at-Arms, the Usher of the Black Rod and even the protective services officers to allow them to carry out that function. The proposed legislation certainly addresses that lack of clarity.

Clause 9, which deals with parliamentary precincts, is interesting. Clause 9(2)(a) states that the Presiding Officers:

... may grant leases or licences in respect of any part of the parliamentary precincts ...

Enabling the Presiding Officers to delegate some of their authority — not all the way down the line — to lease out parts of this place is an interesting provision. One day we may come in here to find that the canteen has been leased out to someone who is running it as a restaurant and that we have nowhere to eat. I am sure that will not happen, but however vaguely, that power is in the subclause. I would be interested to hear the minister's response on the intention of that subclause.

It is important in our democracy that people have the right to demonstrate. We have seen some wonderful demonstrations on the front steps of this place — and I understand the honourable member for Tullamarine is pictured on the front cover of the report we have been talking about tonight.

I recall being very excited when attending my first demonstration as a green member of this place. I went out to the steps to observe the demonstration, where thousands — including even the honourable member for Tullamarine — were baying at Parliament. Victoria's finest and their horses were all lined up, and I felt very safe and protected.

Then one or two members — it may have been the honourable member for Tullamarine — broke through the police lines and the horses. I thought I would make a strategic retreat into the parliamentary building and turned around and found the doors had been locked and the big rolling doors were down. There I was, feeling very exposed as a member of the government. But I had nothing to fear because the members of Victoria Police certainly quelled that bit of a breakthrough, and I lived to tell the tale. However, it was slightly frightening. It is important that we have a place where demonstrations, which are an important part of our democratic process, can take place.

My last point is that my understanding was that the original City of Melbourne plans showed that there was meant to be a larger square outside Parliament House to enable demonstrations to take place. The buildings that now house the Hard Rock Cafe and the Imperial Hotel — God forbid, we would not want to see that go — were not meant to be on those corners. The plan was to make a large square to enable larger assemblies to take place outside Parliament. For some reason that slipped through the planning processes of the Melbourne City Council some years ago, and we now

have two buildings there that are unlikely to be demolished to enable larger demonstrations to take place. It was an interesting forethought of our early town planners, who saw the need and the entitlement in our democracy for people to demonstrate.

With those few words I wish the bill a speedy passage. As we approach the centenary of Federation it is important for this building and its precincts that the history of this country will be celebrated when we re-enact the first sitting of Parliament.

Mr LANGDON (Ivanhoe) — We have been debating the bill for some time. It is only the first bill for the day and we have a few more bills to debate before we can go home this evening.

Listening to some of the speeches I have noticed that many speakers have taken an historical view of the past, given anecdotal accounts of their experiences and given numerous quotes from this and that. Basically the bill has been requested by the Presiding Officers, both the Speaker and the President, because federal Parliament is to visit and we need to legally define the parliamentary precincts. With both Presiding Officers wanting such a bill, all the parties support it. However, as I said, the debate has been going for some considerable time. We have debated the merits and we have gone into the history. Clearly the bill is required and we are all in support of it. Therefore I will speak no further. I fully support the bill and wish it a speedy passage.

Mr SMITH (Glen Waverley) — It is interesting that whenever we have a bill on which there is consensus a lot of sense is talked, and it seems to me that this occasion is no exception. If we look at the history of demonstrations in Australia over the past 40 or 50 years we can see how they have gone from something that was initially quite frightening to something that, relatively speaking, is now orderly — and I give credit to people like the honourable member for Tullamarine, whose attention I hope we have.

It surprises me that demonstrations in Australia have become more orderly. I would not have thought, being one of the people who were involved at the time of the 1960s demonstrations against the war in Vietnam, that that would be the case. I really believed — I think I said to various folk at the time — that it would get worse. The great thing is that in Australia that has not happened. The behaviour at demonstrations in other parts of the world has worsened and worsened considerably — for example, the terrible events leading up to the death of Airey Neave in Britain and the

tightening up of the restrictions in the House of Commons that is so evident to us when we visit Britain.

As I said, in Australia that has not been the case, and to my way of thinking it is a great credit to both the police and the demonstrators that we have not reached the stage of anarchy I really believed we would reach.

Ms Asher interjected.

The ACTING SPEAKER (Mr Savage) — Order! The honourable member for Brighton!

Mr SMITH — The restrictions on this place will be tightened by the bill, but not to the degree we might have anticipated. The honourable member for Knox thinks the restrictions around here are woeful and he believes there has to be considerable tightening up. I do not think you need to tighten them up unless you have to.

The Minister for Transport has just walked in, and my point is that in demonstrations in which both he and I have been involved a great deal of restraint and much sense has been exercised towards demonstrators.

But I do not believe it is so much the demonstrators we need to be concerned about as the odd individual who will cause the great problems that even in a debate such as this we do not want to flag because they are very serious matters. To my way of thinking we have been extraordinarily lucky. I would think that slowly we will end up with a situation like that at the House of Commons, where before people can go in they are properly cleared by security staff using people sniffers and the like that reveal whether they are carrying explosives of any sort. However, I believe we are on the right track in going along with the degree of security that we have in Victoria for as long as possible.

When a demonstration was held a week or so ago at the back gate that stopped people from coming in, it was the commonsense of the Serjeant-at-Arms, who has the delegated power from the Presiding Officers, and the way he handled that situation that saved the day. He handled it extremely well. The demonstrators did not lose face, members were not greatly inconvenienced and other people were able to get in. If that sort of commonsense attitude goes on and we have a person with the training and sense of humour that the Serjeant-at-Arms has in this place, the restrictions set out in the bill will work.

One of the few questions we need to have answered by the minister in his summing up is, as the honourable member for Mornington said, ‘Will the restrictions that are applicable to this place under the bill apply in

Ballarat and Bendigo when we go there for the re-enactments in August?’. I believe that if there are to be restrictions we should not want to know too much about how they will work. One of the reasons that things have worked out so well to date is the fact that the Victoria Police have their own intelligence-gathering organisations and their own ability to negotiate sensibly in advance.

I will finish on the point that much commonsense has prevailed throughout the years. The Victoria Police are able to sensibly negotiate, so we do not go overboard even in situations such as that described by the honourable member for Tullamarine when 100 000 people were demonstrating outside. That also was able to be contained in an orderly way. I believe the way we have operated to date is sensible. From my cursory reading of them, the provisions in the bill are sensible and we have before us a sensible bill.

Mr KILGOUR (Shepparton) — I am pleased to speak on the Parliamentary Precincts Bill. I do so, having a love for this house, and also to ensure that not only honourable members are safe but that we at all times protect the magnificence of this building.

The bill has been introduced following a review of the Unlawful Assemblies and Processions Act by the Scrutiny of Acts and Regulations Committee in 1999. I believe it is a good piece of legislation. It will ensure that when the centenary of Federation celebrations are held in May this parliamentary building can be kept secure. The chair of SARC’s redundant legislation subcommittee, the Honourable Maree Luckins in another place, had this to say in the report’s foreword:

However, the right to demonstrate must be balanced by a concern for the protection of those seeking to go about their daily business.

It was those of us seeking to go about our daily business who were stopped from getting into this precinct a couple of weeks ago. The bill is concerned about people who should not be coming into the building or its precincts. The other morning when honourable members and parliamentary staff tried to get into the Parliament House grounds we could not get past the back gate. We were directed to another entrance in Albert Street. In fact, I quite enjoyed my drive through the parliamentary gardens, past the chookhouse and the tennis court and into the car park. Interestingly, the chair’s foreword further states:

During this review, it has become apparent that the people charged with protecting staff and property at Parliament House are seriously hampered in their task by unclear common-law powers and uncertain property boundaries. The subcommittee therefore fully supports the efforts of the

Presiding Officers of the Parliament of Victoria to have the parliamentary precincts clarified and their powers enumerated in a new piece of legislation ...

That is exactly what is contained in this piece of legislation. It has been interesting in my nine and a half years as a member of Parliament to observe what has happened in the various areas. In 1991 when I came into this place I recall a student rally out the front of the building. There was a very large police presence, but the students were then joined by the building workers. The building workers have always had a competition to see if anybody can break through the police lines. It was a competition where somebody received a good prize if they made it to the top of the stairs. That is what happened on that occasion when Joan Kirner was Premier of this state. Some of the rabble from the building workers broke through the lines, reached the top of the stairs and broke a window in the Premier's office. That was a very serious situation. People would have been jumping through the broken window of the Premier's office if the police had not reached the top of the stairs in time.

Soon after that there were more rallies. As my office was under the stairs of the building, in room 33 in those days, I was well aware that when a decision was taken to hold a rally busloads of police were driven into the back of Parliament House in their riot gear. They sat around under the stairs, drinking coffee and reading books, until they were told whether they were required. At a given signal those police officers would have gone out the two side doors of the building and prevented the protesters from getting into the house. Thankfully, they were never used. I would hate to think that those tactics had to be used in the city of Melbourne.

There has been little need to do that for quite some time because everything settled down in Victoria under the Kennett government. The people were not storming Parliament House anymore. However, at one time I had some concern when sitting in this chamber. In late 1992 when the government was amending industrial relations legislation, the galleries were full of unionists up until 2 o'clock and 3 o'clock in the morning. Many of us had to put up with those unionists running their fingers across their throats and challenging us to go outside and see whether they could deal with us. That is the sort of thing we expected from the building union. They were the sorts of things we expected from people who did not like us changing the legislation when we needed to change it. Of course they could not do anything more than that because they were in the gallery and there were parliamentary officers to ensure that they did the right thing.

It is important to understand that at times people who should not be here want to get into this place. On one occasion I was embarrassed because members of a school from my electorate in the gallery were told by parliamentary officers that a gentleman sitting in the gallery was mentally disturbed and they were very concerned about what he would do. A very close eye was kept on that gentleman on that occasion.

The proposed legislation ensures that the designated area of the parliamentary precinct is laid down. The steps at the front of Parliament House are where the precinct begins. The Surveyor-General's plan clarifies that the precinct commences at the first step adjoining the footpath at Spring Street, so the moment anybody crosses the path onto the steps of Parliament House they are in a parliamentary precinct and can be dealt with if required.

It is also important to ensure that the Usher of the Black Rod, the Serjeant-at-Arms and the Clerks of the Parliament have the ability to deal with somebody who is doing the wrong thing or who needs to be put outside the building. This bill provides for that and ensures that arrangements can be made with the Victoria Police to do certain things, not only in this particular precinct but at the other precincts at 35 Spring Street where our parliamentary committees meet and at the new building across the road which will be open fairly shortly.

It is high time that this piece of legislation was brought into the house. We must ensure that we can control the parliamentary precinct and that the people who are here are those we want to have in the place and that the people who do not comply with directions can be forcibly removed or arrested. That will ensure the safety of Parliament. However, I believe at times the security of this place is a little lax. People probably can bring things in that they should not and people who should not be here can gain access. As we move around the building we must all be vigilant to ensure that people on the premises have identification passes or tags and we know that they should be here.

I wish the bill a speedy passage. Debate on the bill has been brought forward so that it can be introduced in the other place. I hope the upper house can debate and pass it in time to ensure that these premises are properly protected when we celebrate the centenary of Federation in May.

The ACTING SPEAKER (Mr Savage) — Order! Before I call the Treasurer to conclude the debate, I advise the honourable member for Glen Waverley that ducking under the vision of the Speaker is unacceptable.

Mr BRUMBY (Treasurer) — I thank all members of the house who spoke during the debate today. It was an excellent debate and it was good to see such a high degree of consensus about the legislation. The bill strikes an appropriate balance between the right of citizens to have access to the Parliament and its representatives and the need to secure the Parliament from disruption. The power to direct persons to leave or not enter the Parliament is confined to a maximum period of seven days. The bill, as has been pointed out in the second-reading speech, implements each of the recommendations of the Scrutiny of Acts and Regulations Committee for the contents of a Parliamentary Precincts Bill with appropriate modification for Victoria and also, importantly, after having taken into account the views of the Department of Justice and the police.

I should say that parliamentary privilege is maintained, and while that is maintained the independence of the police will not be compromised. The bill enhances the independence of the police. Police and protective services officers are given specific powers to secure the parliamentary precincts that they have not held previously.

The honourable member for Glen Waverley raised the issue of the sittings of this Parliament in country locations later this year to mark the centenary of Federation and asked whether the provisions of this bill would apply to those buildings in which the Parliament sat. I do not have specific advice on this matter and I will have it checked before the bill is debated in the other place, but a cursory examination of clause 6 suggests that that protection can be offered.

Clause 6 enables the Governor in Council to make an order declaring land or premises outside the parliamentary reserve to be parliamentary precincts for the purposes of this bill. For example, the term ‘parliamentary precincts’ to which the security arrangements under this bill are to apply would potentially include the properties at 35 Spring Street, which houses the parliamentary committees, and 157 Spring Street, which will house other parliamentary staff in the near future. It is anticipated that those areas will be included in the precincts. It is my understanding that the declaration of parliamentary precincts can be made on the recommendation of one of the Presiding Officers. Therefore, a recommendation would be required from one of the Presiding Officers concerning the country sittings to mark the centenary of Federation this year. I shall draw that to the attention of the Presiding Officers.

I will have my interpretation of the bill checked before the legislation goes to the upper house. However, on this reading it would be seem to be a simple matter of the Presiding Officers making that recommendation and having the declaration made by the Governor in Council. I again thank honourable members for their contributions to the debate.

Ms Asher — What about electorate offices?

Mr BRUMBY — I am not aware of that issue.

Ms Asher interjected.

Mr BRUMBY — I was not here.

Ms Asher interjected.

Mr BRUMBY — I am not the minister responsible for the bill.

Ms Asher interjected.

Mr BRUMBY — Grow up. Go and have a drink!

Ms Asher — You are meant to be loyal to him.

The ACTING SPEAKER (Mr Savage) — Order! Interjections across the table are disorderly.

Mr BRUMBY — A matter has been raised with me across the table about the position of electorate offices. I was not present to hear that part of the debate. I will seek advice on the matter, and that advice can be considered by the other place when it considers the legislation.

Mr Baillieu — The vertical limit?

Mr BRUMBY — I understand the honourable member for Hawthorn raised the question of the vertical limit. Again I will seek advice on that, and the upper house might care to assess the significance of that request.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

**STATUTE LAW AMENDMENT
(AUTHORISED DEPOSIT-TAKING
INSTITUTIONS) BILL**

Second reading

**Debate resumed from 2 November 2000; motion of
Mr BRUMBY (Treasurer).**

Ms ASHER (Brighton) — The opposition does not oppose this bill, but I wish to make a couple of brief comments on it. The background to the bill is the Wallis report on financial deregulation — that is, the removal of barriers in the financial sector. I think that report was embraced by both sides of politics some time ago.

In terms of actuality, from 1 July 1999 the Australian Prudential Regulation Authority (APRA) took over responsibility for the prudential supervision of credit unions and building societies in addition to its original brief for the supervision of banks, general and life insurance companies and superannuation funds. This position was agreed to by the commonwealth and state and territory governments of all political persuasions and subsequently all political parties. The commonwealth Banking Act reflects this new structure and sets out the role of APRA in prudential management in a range of financial institutions.

Non-bank financial institutions have been particularly controversial in Victoria, as any Labor member of Parliament would know. However, significant advances have been made in their regulation. On 11 September, in releasing its harmonised approved deposit-taking institutions standards for prudential management effective from 1 October 2000, APRA indicated that prudential standards would apply to capital, liquidity, credit quality, large exposures, equity associations and audit arrangements. There are documents comprising several hundreds of pages relating to these standards. Time has possibly moved on in the state of Victoria, which is why all the states and the commonwealth have agreed to this particular structure.

Moving on from the background, the bill itself is the result of a commonwealth request. I understand Victoria is the last state to introduce this type of legislation and as part of the commonwealth–state agreements the commonwealth has requested Victoria move on this legislation. The bill amends 90 acts of Parliament to reflect these commonwealth–state agreements to allow non-bank financial institutions, as they were once called, to provide banking services to bodies regulated by statute.

The crux of the bill is found on page 2 of the explanatory memorandum. It basically changes words in the 90 existing acts to take into account the commonwealth–state agreements and APRA’s new regulatory regime, which allows the non-bank financial institutions to compete on an equal footing with banks to provide financial services to society at large.

This bill changes the word ‘bank’, for example, to ‘authorised deposit-taking institution within the meaning of the Banking Act 1959 of the commonwealth’. It changes the term ‘bank account’ to ‘an account with an authorised deposit-taking institution’; it changes ‘bank cheque’ to ‘a cheque drawn on account of an authorised deposit-taking institution’; the expression ‘bank draft’ is changed to ‘a draft provided by an authorised deposit-taking institution’; ‘bank guarantee’ is changed to ‘a guarantee provided by a body permitted to use the expression “bank” under section 66’ of the banking act, which I mentioned earlier; and the term ‘bank overdraft’ is changed to ‘an overdraft with an authorised deposit-taking institution’.

I wish to be brief in my contribution to the debate on this bill, given the agreements that have been made across Australia on this matter. As I have said, the bill is designed to change the terminology in 90 acts to reflect the commonwealth–state agreements. Included in the 90 acts being amended is the Geelong Performing Arts Centre Trust Act — given the history of Pyramid, a most unfortunate geographical illustration in the second-reading speech to explain what the government is doing. Other acts being amended include university acts, the Legal Practice Act, the Hospital Benefits (Levy) Act and the Housing Act. These 90 acts of Parliament are being amended simply to reflect the fact that APRA now regulates building societies and credit unions and that these bodies are now permitted to provide banking services to bodies regulated by acts of Parliament. There is widespread support for this change.

I wish to refer to a number of letters received by the Liberal Party in support of these measures. In particular I refer to the Australasian Institute of Credit Union Directors Limited. Credit unions are a valid and interesting form of approved deposit-taking institutions. I am happy to declare that I used to work for the Victorian Credit Cooperative Association, the peak association of credit unions, and I strongly support the services provided by the credit unions to low-income earners and regional and rural Victorians.

The directors, who are generally voluntary and reflect the membership of credit unions, strongly support the

legislation. A letter to me signed by Garry Oliver, the regional vice-president and director, National Board of the Australasian Institute of Credit Union Directors Limited states:

As the second-reading speech indicates, the commonwealth government, together with all state and territory governments, implemented nearly all the recommendations of the 1997 inquiry into the Australian financial system (the Wallis inquiry). The credit union movement endorsed the key findings of the Wallis inquiry. Thus Australia is unique in the developed world in having all deposit-taking institutions covered by the one prudential and corporate regulatory regime.

The letter continues:

In recent years, credit unions, via initiatives such as the commonwealth-funded credit care program, have moved in to provide rural communities with banking services when the four major banks have closed branches. Implementation of this legislation will allow those credit unions to provide banking services to government organisations located in their communities.

Mr Oliver goes on to state:

As I understand the situation, Victoria is the final state/territory to amend relevant legislation to remove the barriers currently preventing non-bank financial institutions from providing banking-type services to government-regulated bodies.

The letter concludes:

Thus, all credit unions would support the quick passage of this legislation and immediate implementation following the granting of royal assent.

The opposition has always been more than happy to accommodate the quick passage of the legislation, although it notes it has been on the agenda since the last session of Parliament.

The Liberal Party also asked the Credit Union Services Corporation for some comment on the bill. I have a letter from Barbara Livesey indicating the support of the corporation for the legislation:

We have been pursuing introduction of this legislation for some time, and we strongly support its passage through the Victorian Parliament.

Credit unions are now subject to the same prudential and corporate regulatory requirements as banks and wish to be able to compete against banks to provide more choice in banking services to the Victorian community.

In rural and regional areas, credit unions willing to provide more choice in banking services to local regulated bodies have been blocked by legislation which has not been updated to reflect reforms arising from the financial system inquiry.

This bill will remove those barriers.

Ms Livesey goes on to indicate her strong support for the bill.

The previous government worked on the bill quite substantially in response to the Wallis inquiry. One of the critical issues is the provision of financial services in regional areas where the banks appear to be withdrawing en masse. I refer to a letter to me from the Australian Institute of Credit Union Management signed by Brendan Smith. While he indicates that his association represents the development of credit union managers and staff, he is more than happy to convey the views of his own credit union, the Victoria Teachers Credit Union, which is one of the larger credit unions in Victoria, on AICUM letterhead.

His letter states:

... I am pleased to advise on behalf of my credit union, Victoria Teachers Credit Union, that we strongly support the removal of any barriers preventing government bodies or businesses depositing with credit unions. We endorse your —

presumably meaning the government's —

proposed legislation as a further step towards competitive neutrality.

One significant letter of support addressed to the opposition is from the Australian Association of Permanent Building Societies. The letter, signed by Raj Venga, the director of policy and regulatory affairs, states:

We advise that industry strongly supports the enactment of the bill which seeks to eliminate discriminatory provisions in certain state legislation. We understand that similar legislation has been passed in NSW and Queensland.

The final word from the financial sector lies in the hands of the Australian Prudential Regulation Authority, which is the new regulatory body. With the collapse of HIH Insurance Limited a lot of people are making comments about APRA. I fully understand the timetable for the insurance industry and the commonwealth Treasurer's views that we ought hold fire on this and take a longer term perspective on the role of APRA. However, APRA has written to me in a letter signed by Christopher Fogarty, general counsel, and dated 15 November 2000 — around the time the minister made his second-reading speech. Mr Fogarty indicates that the bill recognises APRA's regulatory function in relation to building societies and friendly societies as well as banks and describes the bill as a machinery measure. To give him complete justice I shall quote his letter:

The bill appears to be a machinery measure ...

I am happy to place the comment on record.

In the course of my brief contribution to the bill, given the government's desire to expedite its passage even though it has been lying on the table since the last session of Parliament, I wish to raise two fundamental issues. The first is that people associated with government ought to have choice in their financial institution. I am well aware that the previous government negotiated various arrangements with financial institutions and I am aware of the Bank of Melbourne agreement with the government.

Ultimately, there needs to be an element of choice. If a school council has a good relationship with a credit union or another local credit provider it should be able to look to it for good local options. I am advised by Department of Treasury and Finance officers — if the minister wishes to correct the advice given to me by her officers I am more than happy to stand corrected — that currently a school council has to get a better deal to be able to change credit providers. It is important for people in local communities — it is probably far more important in the country than it is in the city — to have a little bit of freedom to move, and local credit unions may well give them a better deal, provide more flexibility and treat them as individuals rather than account numbers. That should go on the record.

The second point I wish to raise is that the bill may provide benefits for smaller financial institutions in rural and regional areas by allowing them to take the business of bodies regulated by statute. In recent years larger banks have withdrawn from smaller communities — I do not think the Labor Party would disagree with that, but perhaps it might — and the number of smaller institutions, not just credit unions, that tailor their services to local communities has increased. I again acknowledge that I used to work for the credit unions' peak association. One of the greatest benefits of the bill is that it removes the barriers to allow bodies regulated by statute to look for local bodies with which to do their banking business and to make their own investment decisions.

The opposition does not oppose the bill. I have wondered why the bill was laid over from the last sessional period — I would have thought its passage could easily have been expedited. Nevertheless, I note its commencement date of 1 July, and I look forward to seeing some good results in terms of financial arrangements, investment and local communities as a result of the bill's passage.

Mr RYAN (Leader of the National Party) — I wish to make a brief contribution to the debate. The National Party supports the Statute Law Amendment (Authorised Deposit-taking Institutions) Bill. It is

sensible legislation. It is a classic example of how competition policy can be applied constructively to get excellent outcomes. That is particularly so for people living in the country because it offers choices that have not historically been available to them.

The minister's second-reading speech is an excellent document. It is not full of the ideological claptrap that unfortunately seems to clutter so many of the speeches that accompany legislation introduced by the government. It is a good document with a succinct summary of the provisions and purpose of the legislation and its probable outcomes.

The bill's history is summarised in the explanatory memorandum. It states that in July 1999 the Australian Prudential Regulation Authority, known colloquially as APRA, assumed responsibility for the supervision of credit unions, building societies and special service providers in addition to the supervision of banks, general and life insurance companies and superannuation funds. It also states:

Under the APRA supervision framework, an institution authorised under the Banking Act 1959 of the commonwealth to carry on banking business in Australia is required to have a common licence and become an authorised deposit-taking institution. The proposed amendments reflect these commonwealth changes in Victorian legislation, and as a consequence, non-bank financial institutions will be able to provide banking services to bodies regulated by statute. At present, most of the acts being amended only provide for banks to provide such services to those bodies.

The bill has three clauses and a schedule setting out the 90 acts of Parliament that will be amended with the deletion of the term 'bank' and the insertion of the term 'authorised deposit-taking institution', or ADI as it is commonly known. The outcomes will be excellent.

When I was involved in my legal practice I had dealings with Gippsland Secured Investments, a solicitors' mortgage investment company based in Bairnsdale, which received deposits on behalf of many of our clients. Milton Murphy was a director of the company and did a great job. One of the complications experienced was that it was not able to receive deposits by many individuals and organisations because it did not have the statutory substance the bill now contemplates. Local individuals and organisations would have preferred to deal with the company because it was a truly locally based organisation, but they were precluded from doing so because of the statutory constraints that applied.

Similar legislation has been introduced in the Northern Territory and throughout the rest of Australia and there will now be a measure of commonality, which is a good

outcome for the application of competition policy. It will result in more choices being offered to people, particularly those in country Victoria who will now be able to support those entities, institutions and organisations that are part and parcel of their own communities. That is a good aspect of this sensible legislation, which the National Party supports.

Mr LENDERS (Dandenong North) — I support the Statute Law Amendment (Authorised Deposit-taking Institutions) Bill and wish it a speedy passage through Parliament. Most aspects of the bill have been covered by the Treasurer's second-reading speech and the other contributions to the debate, so I will keep my remarks brief in the interests of letting others make contributions.

As the Deputy Leader of the Opposition said, the bill follows on from the Wallis inquiry into banking competition. Many people in my electorate of Dandenong North are concerned about banks. I am not into bank bashing, but the perceptions of people in my community of the large banks are not good. More competition where groups such as schools and retirement villages have access to other institutions is to be highly commended and welcomed.

The bill creates considerable choice for many government-regulated bodies, particularly in rural and regional Victoria where there is a spread of credit unions and bodies covered by this authorised deposit-taking institutions legislation. Choice is a good thing.

I cannot let pass the comments of the Deputy Leader of the Opposition about the government being tardy in introducing the bill and Victoria being the last state to come on board. If Parliament had met in the second half of 1999 and not had such a long holiday ordained by the former government before the last election the legislation could have been introduced in 1999. It is a bit rich for the opposition to say in any way, shape or form that the government is tardy when the Parliament was not sitting to pass the legislation. Having said that, I welcome the bipartisan support that will assist my electorate of Dandenong North as well as rural and regional Victoria. I wish the bill a speedy passage through both chambers.

Mr SMITH (Glen Waverley) — The State Law Amendment (Authorised Deposit-taking Institutions) Bill has the complete support of the opposition. It is an initiative of the commonwealth government to implement Australia's banking system in the most sensible way possible. The bill provides for community banks. The Bendigo Bank has done a sterling job in

ensuring that community banks are initiated in areas from where the major banks have pulled out. All honourable members know stories of the damage done to communities when that happens. Bendigo Bank has done an extraordinary job by backing people who wish to implement community banks, and this bill will help those institutions.

I have a community bank in my electorate; all the major banks have pulled out of the Pinewood shopping centre, which has been fully developed for the past 30 years. The local people have decided to follow the lead of the residents of Surrey Hills where a similar bank has been set up.

The only worry I have is that once the community banks begin to make profits and attract customers they will experience, as have the major banks, a marginal period where their profits will not continue unless they have access to volunteers. They will find they experience the same problems as the major banks, not from the community point of view but financially. I warn them about that phase.

I alert the house to the problems of the major banks with automatic teller machines (ATMs). During a court case in the past week a judge issued dire warnings to the major banks that they had to find the right solutions to the problems. It is of concern to both the courts and the people who withdraw money from ATMs without the necessary physical security. The bill ensures that the major banks tighten their security systems for both their own protection and that of the community. People wishing to withdraw money from ATMs at any time of the day or night are entitled to do so without the fear of being hit on their heads or having their purses snatched.

The major banks are discouraging people from conducting transactions over the counter and are encouraging them to use ATMs. Unless security is dramatically improved the confidence of the average person will erode. When attending social functions or speaking with bank managers on official business, all honourable members should take the opportunity of ensuring that the security aspect of ATMs is fully covered. Unless the average punter believes 24-hour security is provided, the moves by the banks to encourage people to use ATMs will be thwarted.

As I said, the bill has the full encouragement of the commonwealth government. The opposition has checked that it follows the spirit as well as the letter of the commonwealth government's initiative and has pleasure in supporting the bill.

Mr LONEY (Geelong North) — I will also contribute a few brief remarks to the debate on the Statute Law Amendment (Authorised Deposit-taking Institutions) Bill. I am pleased to support the bill, which will remove the current barriers to non-bank financial institutions such as credit unions, building societies, friendly societies and so on providing a full range of banking services and offering services to bodies such as schools and hospitals that are currently regulated.

I find the legislation particularly pleasing. I am a supporter of credit unions and the credit cooperative movement, which has led to the formation of organisations such as friendly societies and credit unions. A couple of hundred years ago the original non-bank financial institutions set out to provide a service that was not being provided by the existing financial institutions. They say there is very little in the world that is new, and today the vast majority of people are questioning whether the banking institutions provide the types of services that suit their normal banking requirements. People will now be able to look for appropriate services in organisations that are more responsive to their account-holders and are keen to provide services, and to do so without the fees currently charged by banks. That is a good step forward.

The legislation is particularly valuable for people in rural and regional parts of Victoria, where in recent years banking services have been withdrawn from many communities and in others savagely scaled down. The personal relationship that in the past often existed between local individuals and local banking staff has in recent years been diminished. I hope non-bank financial institutions, by providing new opportunities for full banking services, may successfully re-establish such relationships and that people going to them for all sorts of banking matters will be treated as people with particular banking needs and requirements rather than as numbered account-holders or people whose function is to provide profit — as many customers of major banks now unfortunately believe themselves to be.

The legislation will provide people with the power to choose not only which institution they will do their banking at but also the type of service and relationship they require from the institution — that is, the choice will be more than a simple choice between one of our current banking institutions and one of the current non-bank institutions, because people will have a choice about the way they carry out their banking.

It is legislation that could prove to be substantially beneficial to many people, particularly those in rural and regional communities and other small

communities. For these reasons the bill is well worth supporting.

Mr PATERSON (South Barwon) — It is a pleasure to contribute to the debate on the Statute Law Amendment (Authorised Deposit-taking Institutions) Bill. The Liberal Party has consulted widely, including with organisations such as the Australian Institute of Credit Union Directors, the Australian Association of Permanent Building Societies, the Australian Friendly Societies Association, the Australian Institute of Credit Management, the Australian Prudential Regulation Authority — or APRA, as it is now known — and of course the commonwealth government and the Credit Union Services Corporation (Australia) Ltd.

The opposition does not oppose the bill, which amends about 90 acts of Parliament and reflects commonwealth–state agreements. It will allow non-bank financial institutions to provide banking services to bodies regulated by statute. It has widespread support and, while the government could be accused of dithering, the bill having been on the notice paper since last session, it is good to see it finally before the Parliament and being debated.

I note that the government indicated in the second-reading speech that the bill continues the government's commitment to national competition policy. The present government when in opposition was often keen to distance itself from national competition policy, despite the fact that that policy is a creature of former Prime Minister Keating, who initiated the Hilmer review. Perhaps government members have in government found a new sense of responsibility. It is good to see in black and white that the government is committed to national competition policy and competitive neutrality.

Given that credit unions are subject to the same prudential requirements as banks, the bill is very important and is a logical step in the general regulatory landscape of the financial sector. Those institutions are now under the supervision of APRA.

Of particular interest to a member of Parliament from the Geelong region are the two statutory organisations specifically mentioned in the bill — that is, Deakin University, through the Deakin University Act, and the Geelong Performing Arts Centre Trust Act.

The timing of the bill's coming before the house is good. It is an important step in the regulatory structure of our financial institutions and the way different organisations, particularly statutory organisations, in

our community are able to interface with their financial institutions. I commend the bill to the house.

Mr LANGUILLER (Sunshine) — The Statute Law Amendment (Authorised Deposit-taking Institutions) Bill will be welcomed by the rural regions of Victoria and communities that have been subjected to bank closures.

The amendments made by the bill are in line with similar provisions that have been put in place in other states. The bill meets commonwealth expectations and gives effect to a government commitment to national competition policy. It is a good example of national competition policy being used constructively to provide services to local communities.

The bill amends 90 Victorian acts that contain the word 'bank' and related terms and allows building societies and credit unions to provide services commonly provided by banking institutions. In areas such as Sunshine West and Sunshine North, where there have been bank closures, the bill will facilitate local communities, schools, art centres and other regulated bodies using building societies and credit unions, which they are currently not able to use.

The proposed legislation is good for rural and regional Victoria, and it is a good example of the Bracks government getting on with the job. I commend the bill to the house.

The ACTING SPEAKER (Mr Savage) — Order! The time has arrived under sessional orders for me to interrupt the business of the house.

Sitting continued on motion of Mr BATCHELOR (Minister for Transport).

Ms KOSKY (Minister for Finance) — I thank all honourable members who have contributed significantly to the stimulating debate on the Statute Law Amendment (Authorised Deposit-taking Institutions) Bill — namely, the honourable members for Brighton, Gippsland South, Dandenong North, Glen Waverley, Geelong North, South Barwon and Sunshine. I note that there is complete support for this bill from all sides of the house, and that is very pleasing.

The bill will allow credit unions and building societies to do banking business with government, thus broadening the range of institutions that can do so. I commend the bill to the house.

Motion agreed to.

Read second time.

Remaining stages

Passed remaining stages.

PROFESSIONAL BOXING AND MARTIAL ARTS (AMENDMENT) BILL

Second reading

Debate resumed from 2 November 2000; motion of Mr PANDAZOPOULOS (Minister for Gaming).

Government amendments circulated by Mr PANDAZOPOULOS (Minister for Gaming) pursuant to sessional orders.

Mr BAILLIEU (Hawthorn) — I wish to speak on the Professional Boxing and Martial Arts (Amendment) Bill. Victorians can rest easy because Victoria has been saved by another piece of breakthrough legislation. Earlier the honourable member for Dandenong North referred to the government's 'critical agenda'. This and the previous bill form part of the critical agenda that could not otherwise be delayed, as the honourable member said in referring to the 'key motions' that were being deferred.

In fact the bill does very little, and the Liberal Party will not be opposing it. However, it is another example of the government not doing enough. It is another missed opportunity, because more could be done than is being done by this bill. Essentially the objectives of the bill are threefold. Firstly, its extraordinary objective is to rename the Professional Boxing and Martial Arts Act so that it becomes the Professional Boxing and Combat Sports Act.

Mr Pandazopoulos interjected.

Mr BAILLIEU — As the Minister for Gaming says, that is a pretty radical move on the part of the government. It could be said that it is part of the government's critical agenda.

The second objective is to combine the registration of boxers and combat sports participants — in short, to allow single registrations for boxers or kickboxers. Currently they are required to have separate registrations.

The third objective is to provide an immunity for professional boxing and what will be the Professional Boxing and Combat Sports Board, which is a standard provision.

Many members of this house will have attended boxing and kickboxing contests over the years. My association

has been as an observer; I have never participated in it, other than involuntarily on the sports field. My association goes back to my childhood. As a young tacker, friends and relatives took me to the House of Stoush. In those days it was a fairly compelling and seductive environment for somebody to observe. Those were the days of unregulated boxing. We have come a long way since.

Boxing and kickboxing are some of the oldest sports industries in the world. They have been in Australia from the beginning — and they will continue to exist. I remember attending the Royal Melbourne show as a kid, standing out the front of Jimmy Sharman's tent and wondering about the extraordinary things that were going on inside.

Those were the old days of unregulated boxing. Anyone who was willing could get up and have a crack. I am also young enough to have attended the Birdsville races — and being in Queensland, the Birdsville races still have boxing tents. Visiting Birdsville and seeing Freddy Brophy's boxing tent is a reminder of how far we have come in the boxing and kickboxing world. Freddy stands out the front and reminds everybody that four generations of his family have run the tent. The drum is beaten and all comers are invited to tackle Freddy's team.

An honourable member interjected.

Mr BAILLIEU — I was tempted, but I did not get up. Being a 45-year-old boxing recruit is not a good idea!

Freddy's team appeared on the podium wearing their faded green dressing gowns and were introduced man by man. There was Mandingo, one of Freddy's favourites, who was introduced with the acclamation, 'Mandingo has never been beaten — except for last night'. There was the Moree Mauler, who implored Freddy to 'give me someone I can knock out'; and there were the Lizard, the Flying Dutchman and a range of Freddy's best. For a mere 3 minutes in the ring you got \$30 if you won and \$15 if you lost.

It is totally unregulated in the Queensland way, and it is a reminder of where boxing used to be in this country. It is arguably entertaining, but I would have to admit it is extremely dangerous. Those who are teetotallers are unlikely to get into the ring, I can assure you. We have come a long way in the state of Victoria. We now have an industry that is fairly regulated and focuses on the things that it needs to focus on.

The bill has its origins — surprise, surprise! — in the national competition policy review and, specifically, in

the Council of Australian Governments competition principles agreement of 1995, as part of which the states said they would all undertake a review of legislation to look at any anticompetitive practices. In Victoria that was undertaken in August 1999, shortly before the last election and change of government.

The objects of the Professional Boxing and Martial Arts Act were twofold. The first was one of safety — that is, looking after the participants as far as possible. That runs to requiring doctors' certificates before and after matches and ensuring that boxers, kickboxers and other participants in combat sports do not unreasonably participate in contests over time and that all other safety aspects are in place.

The second object of the original act was one of probity — that is, ensuring that the conduct of these sports is undertaken in a reasonable, fair and transparent way. All the steps that have been and will be taken in the future should be measured against these two objects — one, safety; two, probity. I think there is bipartisan agreement on that aspect.

We need to understand that the original act and this bill govern only professional boxing. Amateur boxing is treated separately: the Victorian Amateur Boxing Association is by definition exempted under section 5 of the original act.

The first legislation affecting boxing in Victoria was introduced in 1979. That covered amateur fights through to 1985, when the Professional Boxing Control Act was introduced and extended to include martial arts. In 1996 the previous government introduced the Professional Boxing and Martial Arts Act, which combined martial arts and professional boxing into the one act, simplified the regulations and acknowledged the linkages between the various sports, because there is an overflow.

There is a need to look briefly at the industry as it currently exists. In Victoria there are two sides to the issue — the boxers and the kickboxers. Kickboxers account for up 90 per cent of the professional and combat sport contests we are talking about. Just 30 boxers and 360 professional martial artists are registered in Victoria.

An Honourable Member — Artists?

Mr BAILLIEU — Artists. In addition there are 4 boxing promoters; 17 martial arts promoters; 60-odd boxing trainers; 100-odd martial arts trainers; 1 boxing matchmaker and 6 in the martial arts; 8 referees in boxing and 36 in the martial arts; and 3 judges in boxing and 15 in the martial arts.

To quote from the national competition policy review, it is minor economic activity; but it needs to be acknowledged that it is an emotionally charged activity. All those participants — the contesters, the promoters, the trainers, the matchmakers, the referees and the judges — have three-year licences. I am talking about those types of combat sports where contestants land blows on each other. We are not talking about martial arts in the sense of traditional judo or tae kwon do; at present the only martial arts we are talking about are kickboxing and Kyokushin karate.

The bill will change the title of the act from the Professional Boxing and Martial Arts Act to the Professional Boxing and Combat Sports Act to more fairly recognise that martial arts is a broader category that covers all those other sports and that combat sports is confined to kickboxing and any sport that is recognised by the minister from time to time. There is only one of those — Kyokushin karate. I remind the house that we are talking only about professionals.

The second-reading speech states that the bill will result in savings to contestants. The change to the requirement for boxers and kickboxers to have separate licences, as the second-reading speech states, will result in savings to contestants. This is the nuts and bolts of a key piece of legislation on the government's critical agenda, so let us look at those savings. As I said before, there are only eight contestants who hold both boxing and kickboxing licences — only eight of them — so the legislation is essentially dealing with eight knuckledusters. Each of those pays a three-yearly licence fee which amounts to \$15 each annually, so for eight of them we are talking about a \$120 saving. That is the government's critical agenda, a key piece of legislation!

It is probably reasonable to assume that some \$50 000 to \$100 000 has been spent in the review of the relevant legislation and the preparation of this bill. Perhaps it would have been cheaper to give those eight contestants \$50 000 and say, 'We will pay your registration for the next 500 years'. However, the government has offered a \$120 saving and I am sure many of the contestants will be thrilled to have that.

Given that the government decided to introduce the bill into Parliament, one would have thought the minister would have taken the opportunity to do a little more with this critical piece of the government's agenda, this key piece of legislation. It is worth considering what has not been done by the bill. The national competition policy review was an earnest and arguably sensible review of the legislation and it raises a number of issues.

Yes, the question of a single registration scheme — and the resulting saving of \$120 — is raised in that review. The bill has boldly taken that step and delivered that outcome, which is a triumph for this government.

Yes, the review recommended that the minister should have the power to recognise more than one amateur association for the purpose of an exemption, and currently only the Victorian Amateur Boxing Association is exempt and there are other amateur boxing associations. The bill triumphantly and dramatically takes up that suggestion and runs with it. And that is about the extent of it.

An honourable member interjected.

Mr BAILLIEU — The national competition policy review was only in August 1999. However, the review actually suggested other things. One would have thought that the minister might have picked up those other things in this critical agenda. The issue of dual licensing of promoters, trainers and officials was not taken up because the review drew attention to the fact that there is a current view in the industry that holding a dual licence or holding multiple licences represents a conflict of interest and can operate to the detriment of probity issues and, potentially, safety. So if a person who holds a referee's licence is also a trainer or if a person who holds a promoter's licence is also a trainer, an issue exists. It was strongly put in the national competition policy review that that issue should be taken up.

Equally, the issue of potential penalties for breaches of the act might also have been taken up, but that has not been done because the power to enforce is not there. So the minister has missed the opportunity and has instead run with the critical agenda which we have before us.

Certainly the world of boxing and kickboxing is a colourful one and those who attend can be categorised as the curious, the inspired, the faithful — whatever. But boxing in Victoria has a great history. For those of us who attended the various venues over the years and watched both boxing and kickboxing, no-one can forget the now late and great Ron Casey and Merv Williams on *TV Ringside* and many of us grew up with an appetite for that on Monday night.

Ms Barker — Don't forget Gus!

Mr BAILLIEU — We are coming to Gus. These days we have *Talking Footy* to entertain us on Monday nights, but in those days it was *TV Ringside*.

Ms Allan interjected.

Mr BAILLIEU — I am wondering whether to acknowledge the interjection or whether the honourable member would prefer me not to! But I can remember being down at the House of Stoush and in those days when there was a good fight the audience was encouraged to shower the ring with cash. A 50 cent coin was a real yonnie, and there was nothing like watching Merv Williams and Ron Casey duck under the table as everybody tried to hit them on the back of the head with a 50 cent coin thrown from the bleachers, and I confess I was one of those. I grew up listening to Cassius Clay and Sonny Liston fights on the scratchy ABC radio and the calls that were made then. I can even remember scratchy calls of Floyd Patterson.

An honourable member interjected.

Mr BAILLIEU — ‘Float like a butterfly, sting like a bee’. No-one will ever forget that line. Those who have grown up in Victoria and kept half an eye on boxing in this state could not forget the likes of Kahu Mahanga and Tony Mundine, who fought so many times together, and Anthony Mundine, Tony’s son, who has now left Rugby League for the fight game. Honourable members would have heard on the radio in recent years advertisements for Pat Lamana’s bananas. I can still remember seeing the only haymaker I have ever seen land and it was thrown by Pat Lamana.

An honourable member interjected.

Mr BAILLIEU — No, it was at Festival Hall, and the likes of Foster Bibron, Rocky Mattioli and those greats, and obviously Rose and Famechon. I have seen Rose fight a few times. Obviously we have moved on to a contemporary age, and Australia and Victoria have a place in the world boxing industry and we should acknowledge it. As one who saw at close quarters Jeff Fenech fight Marcus Villasana and win the world title and then sadly be defeated by Azumah Nelson out at Princes Park in the pouring rain — —

An honourable member interjected.

Mr BAILLIEU — They were not registered! The only redeeming feature of that night at Princes Park between Fenech and Azumah Nelson was the undercard of Kostya Tsyzyu, who fought his first fight in Victoria and demolished somebody in 60 seconds flat — and everybody remembers it.

It is interesting that boxing is not as strong now in Victoria as it once was, but kickboxing has really kicked off, dare I say. Kickboxing in Victoria is extraordinarily healthy. For anybody who is in any doubt about the strength of kickboxing throughout the world I refer them to a kickboxing contest called K1,

which consists of an elimination series of fights on the one night between eight contestants. A K1 world championship is to be fought in Japan in December and for the first time Australia will be represented. K1 Oceania was held recently and Mark Hunt from New South Wales will be representing Australia at the K1 grand prix in Melbourne on 16 June. It will be a fascinating proposition.

In Japan, I am led to believe — I have no reason to disagree, given the publicity I have seen there myself — that K1 attracts an audience of some 20 million to 30 million people and crowds of 70 000 to 100 000 people attend K1 events. The capacity for little old Melbourne to participate is quite high, and that is what has been happening.

Honourable members may be aware of some of the great kickboxers whose careers have come out of Victoria — Stan the Man Longinidis, who is famous for his leg-breaking kicks, Gurkan Ozkan, another great hero of the local industry, Prince Amir and Phil Fagan. New South Wales has Peter Graham and Mark Hunt — and Victoria has as well the greatest of them all, Sammy Greco. Sam is an extraordinary character. He is no fool. He is a wise and athletic man who has achieved the ultimate success in kickboxing right around the world. Interestingly, Sam has now moved on. He has taken up the great sport of the World Wrestling Federation and has turned himself into a wrestler.

Mr Wynne interjected.

Mr BAILLIEU — Jack Little, indeed. Honourable members might recall that *World Championship Wrestling*, as some of us came to know it, was on on a Sunday afternoon just prior to *Epic Theatre*. We used to sit there as kids watching *World Championship Wrestling* and seeing Mario Milano and Larry O’Dea go head to head and Billy the Chief White Wolf — I remember them all.

Honourable members interjecting.

Mr BAILLIEU — Honourable members might be excused for thinking that wrestling is a combat sport and that it should, because it is professional, be covered by this bill. I was shattered to discover in a briefing that wrestling is not regarded as a professional combat sport because — this was the official advice, and can I suggest that no-one let this information out of this house — it is ‘rehearsed’.

Honourable members interjecting.

Mr BAILLIEU — I agree that it is outrageous. My faith is there with Santa Claus, the Easter bunny and

World Championship Wrestling. Wrestling is not included but kickboxing is. There are, as I said, a number of boxers and kickboxers who have crossed over — boxers who have become kickboxers, and kickboxers who have become boxers. They have had to endure the extraordinary penalty of paying a \$15 annual registration fee, but they are in for huge savings. There are some exceptional individuals, and I have seen them in action. One thing is for sure: I am not going to take them on.

The Briggs brothers, Nathan and Paul, have both crossed over one way or the other. Paul Briggs is now a very talented light heavyweight boxing champion, having been a kickboxing champion. Tosca Petridis is probably one of the better known ones. Some honourable members in this house have I know seen Tosca fight. I am sure he would deal with all of us in a mere breath. Perhaps the better known one these days is Lester Ellis, the Master Blaster, who won a world title — arguably, one of the many world titles.

An honourable member interjected.

Mr BAILLIEU — We have talked about Kahu. Lester has crossed from boxing to kickboxing. I can attest to his capacity because I saw one of his first kickboxing fights, and his opponent was dealt with within 60 seconds, but not with a kick. The kick was not necessary. Lester was still boxing.

The characters include the referees. Who, as the honourable member for Oakleigh said, could forget Gus Mercurio and the legend he created in this country? Then there is Dave Hedgecock, who is now the principal referee in these bouts. But I cannot go on without mentioning the great Howard Leigh, who entertained kickboxing and boxing audiences for years and who was most recently in charge of the bouts in Geelong that went a little astray and seemed to spill over into the crowd. Howard had a few pertinent things to say at the time.

I want to mention the trainers as well — the likes of Jack Rennie, whom many in this chamber would know, Johnnie Lewis, and these days Tarik Solak, who is both a trainer and a promoter and has basically put kickboxing on an international stage in Melbourne, Victoria and Australia and is pursuing it actively — well done to him! I also note that Tarik runs the Braveheart gym, which serves a purpose for a lot of young kids looking to get the discipline of kickboxing.

I make mention of Dana Goodson, who ran the Fitzroy All Stars gym and sadly died recently. There are a lot of young kids who Dana took under his wing and trained

for boxing and kickboxing. I cannot say I ever got close enough to know him, but I know there are a lot of kids who appreciated the efforts he put in.

As I said, whether it be in the House of Stouth at Festival Hall, Crown Palladium, the Crown showroom or the Glass House, where kickboxing is held, whether it be in Geelong, where the bouts can spill over a little bit — even last Sunday some of the bouts spilled over onto the footy field — whether it be in the Springvale town hall, where I think a few fights have been held, or whether it be at Princes Park or Knox City, where as I said I have attended a few bouts, this sport is alive and well, and it needs to be acknowledged. There is an industry involved, and it is a passionate and emotional industry.

It is not a widespread sport, but it has an international focus. It needs to be regulated fairly and equitably, pursuing the twin objectives of safety and probity. I believe it is regulated in that way, and I think there is more that could be done. I am sure the K1 grand prix that will be held in Victoria on 16 June will get a considerable amount of publicity. I am also sure that the Greek champion, Michael Zambidis, who has been here on a number of occasions and has already made a huge impression, will attract a large part of Melbourne's sporting public to his events.

But it is a shame that in this legislation — as I said, a key part of the government's critical agenda, to use the words of government members — the government has not taken the opportunity to tackle those other things that would have made the legislation a little more pertinent and given us a sense that the minister was actually interested in the industry and the sport. It does not seem to be that way, given the paucity of change this legislation contemplates. However, as I say, the Liberal Party will not be opposing the bill. We want to encourage the government to think about the other measures and to give boxing and kickboxing the appropriate support and regulation.

Mr MAUGHAN (Rodney) — I will make a few brief remarks on this legislation. I must say how much I enjoyed the contribution of the honourable member for Hawthorn. I thought this was a relatively simple piece of legislation, but I now appreciate its importance, given those eight people who are going to benefit to the tune of \$120. I now understand why the government fought so vigorously not to debate items 1 to 5 on the notice paper — it was so anxious to get on with this most important legislation, which gives a benefit of \$120 to eight individuals!

I must say I have received representations from none of them, so I have not heard from any of the individuals who will benefit from the bill. It is a very simple piece of legislation. The three purposes are set out. Firstly, it renames the Professional Boxing and Martial Arts Act as the Professional Boxing and Combat Sports Act to enable a person registered as a contestant under that act to compete in both boxing and combat sports. Instead of having to be registered for each sport individually, they can register and compete in both sports. It will also provide statutory immunity to members of the Professional Boxing and Martial Arts Board for acts done in good faith. Apart from a few other cosmetic things, that is the essence of what the legislation does.

It is interesting to examine the genesis of this legislation. Prior to 1986 there were two acts, the Professional Boxing Control Act and the Martial Arts Control Act. They were subsequently combined to form the Professional Boxing and Martial Arts Act of 1986, and this legislation will change the name yet again. I agree that the new name is more appropriate.

I say at the start that the National Party will not be opposing this sensible legislation, which flows from the national competition policy review and needs to pass through the house. Although it is an inconsequential piece of legislation, as the member for Hawthorn pointed out it is important to those involved in the industry.

An Opposition Member — All eight of them.

Mr MAUGHAN — All eight of them. I certainly support the prime objective of the bill, which is to protect the health and safety of contestants in professional boxing or kickboxing matches. I must admit that I am not a boxing fan. Although I enjoy watching a good contest on television, I am concerned about the damage that is done to people's heads as they participate in such a vigorous sport. I am not a great supporter of a sport in which the contestants deliberately set out to knock each other's brains out. It is interesting that as one studies this legislation one learns more about the sport. I must admit that I now have a greater appreciation of the controls that are in place to protect contestants from being permanently damaged, and I will come to that in a minute.

Where previously there were two registration bodies, the Professional Business and Combat Sports Board will now licence contestants in professional boxing and martial arts contests. It was news to me that people change from one sport to the other.

The board will also licence kickboxing trainers, who must be over 18 years of age and have first-aid qualifications. It is interesting to note that while it is strongly recommended that boxing trainers also have a first-aid qualification, it is not mandatory. One wonders why it is mandatory for kickboxing but only recommended for boxing. Referees must have certificates of fitness, which makes a lot of sense. I read with interest that referees must be up to scratch or they will not be allowed to continue in their occupation.

The board is far more rigorous when it comes to contestants, which is as it should be. They must have certificates of fitness and must test negative to HIV and hepatitis B. Contestants must be at least 18 years of age and provide comprehensive medical histories, which involves their answering 84 specific questions on the application form. It is most important to keep the medical histories of those involved in these combat sports, which can be injurious to health. The medical records must be monitored carefully.

It is also important that the complete medical histories of contestants in kickboxing, other martial arts and boxing be kept in the one file. That is better than the previous system, under which there were two separate sets of records and it was possible that people were engaging in both sports without their records ever being put together.

There are not many definitions in the bill. The term 'combat sport' essentially means kickboxing or:

... any sport or activity (other than boxing) in which each contestant in a contest or exhibition of that sport or activity is required to strike, kick, hit, grapple with, throw or punch the other contestant.

This legislation applies only to professional boxing or kickboxing. The next definition is that of 'professional combat sport contest', which means:

... any contest or exhibition of a combat sport —

- (a) that is conducted for profit; or
- (b) in which the contestants participate for a monetary reward; or
- (c) to which the public is admitted on the payment of a fee for admission...

Again, that is fairly simple and straightforward.

As I said, the legislation changes the name of the Professional Boxing and Martial Arts Board to one that I think more truly reflects what the board is about — the Professional Boxing and Combat Sports Board. The

bill also makes a number of consequential amendments and contains some transitional provisions.

I had never read the rules of boxing contests before, but I found them very interesting. Rule 17 states:

A contestant is to be regarded as down when any part of that contestant's body other than that contestant's feet is on the ring floor.

Following on from that, rule 18 refers to 'contestant helpless on ropes' and says:

If a contestant is helpless on the ropes the referee must instantly intervene, declare the helpless contestant 'down' and proceed with the count as in the case of a knockdown.

This is all important stuff! I do not want to make light of it because, as I said, it is important given the damage that can be done to contestants if this sport is not properly regulated. The rules list conditions attached to the issue of registration. They state:

You must take a registration book to every contest and give it to the doctor before the fight. The doctor must examine you before the fight and again after you have competed. You must not leave the stadium without being examined by the doctor after your fight.

All of that is good stuff and something I certainly applaud. The last quote from the rules is also important and is about something I support:

9. If the knockout was caused by blows to the head you must not compete for at least one month, or longer if the doctor directs.
10. For a second loss by knockout you must not compete for two months after that fight and, in the case of a third knockout, for three months after that fight.

If you get knocked out a few times it really is time to give it away.

An opposition member interjected.

Mr MAUGHAN — Yes, and stand for Parliament. I conclude by saying that since 1986 there has been somewhat of a power struggle in the boxing industry. This bill enables the minister to recognise any properly constituted amateur association. I have some concerns about that because it means it is up to the individuals on the board that advises the minister, who will have their own biases and views, which will change from time to time. I would rather have seen something more objective and precise in the legislation so there were some objective criteria to meet. That way those amateur associations would know what they were aiming for and what they had to maintain in order to retain their status with the board.

I therefore believe the legislation will be enhanced by specific criteria for recognition; otherwise, amateur associations have absolutely no assurance of their long-term recognition, and they have no recourse to appeal. From their point of view, the existing rules make maintaining their recognition rather speculative.

The legislation has been brought about by national competition policy. It is a relatively minor piece of legislation, and the National Party will not oppose it. I wish it a speedy passage.

Mr ROBINSON (Mitcham) — It is a pleasure to speak on the Professional Boxing and Martial Arts (Amendment) Bill. As has been said, the bill is driven by national competition policy. It presents a number of sensible amendments including an up-to-date definition of combat sports that is more exact than the existing definition of martial arts. The definition of combat sports is directed to the more professional nature of the contests than the martial arts definition. Clause 8 removes the need to register twice, and clause 9 offers statutory immunity to members of the board.

Along with other government members I recently had the opportunity to meet some of the board members. From my recollection one honourable member who took part in that meeting was the honourable member for Clayton, who is probably one of the few members who holds any qualification in a combat sport. With due deference to him, and I hope I have not got it wrong, I think he holds a green belt in karate — that is about the sum total of my knowledge of karate — and he is not to be messed with.

Mr Baillieu interjected.

Mr ROBINSON — We will see what happens, but do not mess with him, that is the point!

The board does an outstanding job. I met with Bernard Balmer, Malcolm McGuinness, Bart McCarthy and Scott Brouwer. Scott Brouwer is now kicking on in the finance world but was a boxer of some note. He fought in Melbourne on the under card at one of the Fenech fights back in the early 1990s, and I recall his win on that occasion.

The board members have a difficult and often thankless job, and they do it well. Boxing's image struggles at times, and its history in Victoria is one of waxing and waning, but Victoria's professional boxing sector is far better developed than Queensland's, where it is still a case of bare-knuckle brawling!

In Melbourne boxing has strong relationships. One thinks of Ron Casey and Festival Hall and the great title

fights that have taken place. An excellent book which I recommend to all honourable members who are interested is available in the library. It was written by the esteemed former Victorian Premier John Cain, Jr, and is called *On with the Show*. It was published in 1998 and contains a whole chapter dedicated to Ron Casey and the history of Channel 7 and programs such as *World of Sport* and *TV Ringside*. It is a good read. The former Premier must have had the opposition in mind when he wrote it because it contains lots of lovely pictures. I am sure the opposition would find it of interest.

Closer to the Mitcham electorate there is the boxing trainer and promoter, Murray Thomson. He shares almost the same name as a member of this house, but I think his boxing credentials are slightly stronger. He is one of a — —

An honourable member interjected.

Mr ROBINSON — He is a former Australian amateur champion, and I know who I would have my money on if the two got together! He is evidence of a resurgence in professional boxing in Victoria. He works hard and provides a great service. On a number of occasions he has staged fight evenings at Knox, and I have been to one of them. It drew quite a significant crowd of between 4000 and 5000.

The government wishes the professional boxing industry well. It is important that it be properly regulated and promoted. The changes brought about by the legislation will go some way towards that objective. I wish the bill a speedy passage.

Mr MULDER (Polwarth) — As the honourable member for Hawthorn said, this is the riveting stuff that is driving the economy of Victoria. This is the legislative program the government is bringing to Victoria. Eight people will benefit from the fantastic legislation and \$120 will be the result.

In the last sitting week I spoke about the figure 8 in relation to carbon credits, where in eight years time someone might make some money if the legislation is going to be worth anything, and that is again the sort of legislation we have before us. It is absolutely appalling. The opposition is trying to get the government to bring on items 1 to 5 on the notice paper but the government is steering away from doing that while honourable members spend their time discussing legislation like this.

The bill is a result of the national competition policy review because the licensing arrangements for fighters were anticompetitive. A fighter who wanted to engage

in kickboxing and professional boxing had to have two licences. The bill will enable a fighter to be covered by a single licence, giving a saving of around \$15 — which is important for Victoria and the eight people out there! Forget about the kids on drugs on the street, ambulance bypasses and hospital waiting lists, because there are now eight people who will be \$15 better off every three years, because licences are issued for three years.

The bill differentiates between martial arts and combat sport because many martial arts are not considered to be combat sport. The bill identifies only one sport other than boxing and kickboxing as a combat sport — that is, Kyokushin karate. The schedule can be amended by notification from the Professional Boxing and Combat Sports Board to the minister. If the minister agrees that another sport falls within the category of combat sport, he can gazette that sport and have it included in the schedule.

The weakness in that scenario is that the board does not have any guidelines under which to operate when identifying new combat sports. How will it identify the status of the sport, and what formula will it use to recommend to the minister that a particular sport should be referred to in the schedule and covered by the legislation?

The other issue is that the board does not seem to have the teeth to be proactive by going into the community and identifying the sports it believes should be covered by the legislation. A sporting association that is up and running has to intervene and the body must come to the board and say that it believes the sport is a combat sport and should be covered by the legislation. There is much the government can do by strengthening the powers of the board, working with it on the guidelines and ensuring it can be more proactive. As the honourable member for Rodney rightly pointed out, combat sports entail some danger to the contestants, and any move the government can make to protect anyone engaged in a combat sport would be greatly appreciated by the Victorian community.

The honourable member for Hawthorn mentioned that *World Championship Wrestling* could have been covered by the legislation. However, the American Wrestling Association advised that it was not a combat sport but entertainment. I must admit I was devastated. I do not know how old Mario Milano was when he finished wrestling.

Mr Hamilton — He has not finished yet.

Mr MULDER — He was wrestling when I was this tall! It is no wonder Mario Milano, Bulldog Brewer, Killer Karl Kox, Mark Lewin, Spiros Arion, Dominic Denucci, Abdullah the Butcher and Haystacks Calhoun fought for as long as they did. We all believed it was fair dinkum and that their strangleholds and body crushers would beat their opponents to a pulp from which they would never recover. We did not realise there was another show the next night and the night after that and that they were doing it every night of the week. It was not a combat sport; they were engaging in entertainment. I was blown away when I found that out, and it still hurts to think it was the case!

The bill empowers the minister, on the advice of the board, to exempt a suitably recognised amateur association. However, if an amateur association decides it wants to conduct a professional bout and advertises a purse, it would be covered by the act.

There is no doubt in my mind that the demise of country shows started when the boxing troupes left. Jimmy Sharman's boxing troupe used to come to the local country show, and alongside it was the striptease show. On one side there was Vanessa the Undresser, as the fellow out the front of the show used to call her, and on the other side was Jimmy Sharman's boxing tent. It was a tough choice for a kid my age. I used to crawl under the tent to see the stripper, but I would pay to watch the boxing.

A member of the troupe would beat the drum at the boxing bouts. Jimmy Sharman would be yelling, 'Give 'em a rally boys, give 'em a rally. Who is going to fight the boy from Christmas Island?'. The troupe usually turned up a couple of nights before the show to taunt the locals into turning up at the show and having a go. They provided huge entertainment, and it was sad to see them disappear — not that they were missed in the town on Saturday night, because after the official punch-up during the show an awful lot of unofficial punch-ups took place later that night. When they turned up at Colac the fisticuffs would start again.

Our city has never produced a top boxer. It has produced great athletes such as Cliff Young and footballers such as John Devine and young Stephen Baker, who now plays for St Kilda Football Club. The closest thing Colac has had to a professional fighter was a gentleman by the name of Fulton, who fought in one of the three rounders on *TV Ringside*. The boys from the football club took him to the show. He had two left-footed sandshoes and a pair of football knicks. He lasted 17 seconds in the first round. They laid him out in the back of a ute and took him home. That is about as close as Colac came to producing a good boxer.

During the 1960s everything in our home revolved around *TV Ringside*. The kids around the corner would come to our house and we would be absolutely rapt watching the boxing. I liked to watch the three-rounders more than anything else, because they were exciting. The matches went only three rounds because many of the fellows who took part in them were not fit enough to go any further. One guy who took part was a gentleman named Ron King, who was a real brawler. He used to go hammer and tongs for a full three rounds. Roy Hefferman was another top three-rounder. They were great fights. *TV Ringside* was compered by the great Ron Casey and Merv Williams.

The Professional Boxing and Martial Arts Board, which is now made up of Mr Bernard Balmer, who is the chair, Mr Scott Brouwer, Mr Malcolm McGuinness, Mr Robert Todd and Dr Simon Hillman, was previously chaired by the late Ron Casey. Recently I was told that he was KO'd at a kickboxing fight by a chair that fell on his head. As a result he was taken from the stadium, bleeding from the head.

An honourable member interjected.

Mr MULDER — Just last year. He was knocked out in his final years, but he was still doing the thing that he loved and what we loved to see Ron Casey do. Anyone who enjoys fighting would have to remember Tony Mundine and Kahu Mahanga; nor could they forget Lionel Rose and Johnny Famechon and some of the fantastic fights they had.

One person that sticks in my mind is a fellow that people came to watch because they hated him and wanted to see him get beaten rather than win. His name was Leo Young, and when he stepped into the ring he would start shadow boxing in the corner.

An honourable member interjected.

Mr MULDER — He was a Geelong fellow, a helluva fighter and great entertainer. He was a lair and many of the other fighters did not like him. However, people turned up to watch him get beaten. He dragged more people to *TV Ringside* and into the hall hoping like hell he would get beaten, and he took a lot of beating. He was a tough fighter who was around for a long time.

I will not continue because others want to speak on the bill, which addresses concerns about boxer safety. I commend the bill to the house.

Mr TREZISE (Geelong) — I am also pleased to speak in support of the Professional Boxing and Martial Arts (Amendment) Bill, because it brings government

responsibility into line with the national competition policy principles and takes steps to tighten up the legislation controlling boxing and other martial arts. Given the lateness of the hour I will skip a couple of pages of my speech!

Unlike the honourable member for Rodney, I have a genuine love of boxing. In 1968 or 1969 I remember listening on the radio to Lionel Rose beating Fighting Harada, and on Monday nights watching Ron Casey and Merv Williams on *TV Ringside*. Fighters such as Paul Ferrari, Rocky Gattilari, Barry Michael and Hector Thomson were all great fighters. I have a genuine interest in the fighting game.

I am also pleased to support the legislation because I have a long-term interest in boxing legislation. The honourable member for Polwarth referred to boxing troupes at royal agricultural shows, which brought to mind a tragic story of a gala day in Geelong in the mid-1970s. A boxing troupe came to Geelong and a young bloke from the area in which I grew up was pulled out of the crowd while inebriated and given a helluva belting by a professional boxer. An hour or so later while walking along Moorabool Street he collapsed and died, so there is a downside to the boxing troupe.

If you examine the history, you see that that incident strengthened boxing legislation in Victoria. We can get a laugh from the boxing troupes and their history, but there is also a serious side to the boxing legislation, which is why I am happy to support it tonight.

The honourable member for Hawthorn referred to recent happenings in Geelong. Two Saturday nights ago there was a fight involving a Geelong fellow, Mick O'Malley, who is a good fighter. A major brawl occurred in the hall and a woman was clubbed with a chair until she was unconscious and ended up in hospital. I read in the paper today that the Professional Boxing Control Board said it was unable to do much about such incidents. However, I suggest it should look at introducing light beer and restricted hours for serving beer.

The bill tightens up several areas concerning boxing, and I am happy to support it.

Mr KOTSIRAS (Bulleen) — I am pleased to speak on the Professional Boxing and Martial Arts (Amendment) Bill. It is a minor bill, but unfortunately, it does not go far enough. The government had the opportunity to do something visionary, but it has failed.

In his second-reading speech the Minister for Gaming states:

The primary purposes of the act are to protect the health and safety of contestants in professional contests, which typically take the form of boxing or kickboxing.

Safety should be paramount in the government's desire to improve the sport. The main purposes of the bill are to rename the Professional Boxing and Martial Arts Act as the Professional Boxing and Combat Sports Act; to enable a person registering as a contestant under the act to be able to compete in both boxing and combat sports; and to provide statutory immunity to members of the Professional Boxing and Martial Arts Board for acts done in good faith.

According to Mr Grahame Wise of the Department of State and Regional Development, the minister may determine a sport or activity to be a combat sport for the purposes of the act. The only such determination made concerns Kyokushin karate, a full contact form of karate. I inform the house that the Prime Minister has been awarded the honorary godan at the official opening of the Sydney dojo, so Mr Beazley will need to be careful when he approaches him.

The changes in the bill meet the government's obligation under the national competition policy principles. Several weeks ago I attended the Supernova, where stars exploded at the Crown complex, and had the opportunity of watching both kickboxing and orthodox fights. I had the pleasure of watching two young kickboxers. One was a Victorian from the eastern suburbs named Arthur Tsokanas, who showed great strength and potential. The other was Michael Zambidis, a champion from Greece, who defended his kickboxing world title, and who was fast, quick and awesome. During the evening there was also traditional boxing. The two forms complement each other and cannot be separated.

When I was 14 years old I attended a martial arts school and participated in the sport for six years. Unfortunately I went only to second Kyu, which is brown belt — one belt below black — in a style called zen do kai. I never won any trophies but I walked away with several broken ribs and teeth!

Ever since then I have retained some interest in the sports, particularly kickboxing. The honourable member for Hawthorn, whom I see occasionally at matches, mentioned Stan the Man as well as Sam Greco, who was a student of mine at Coburg High School. Sam was a great soccer player and decided later to take up kickboxing. He has done well at it.

Why would people take up self-defence? It builds self-esteem, respect and integrity, and a more positive

view of life. Lester Ellis, the former boxing champion, was quoted in the *Herald Sun* as saying:

There are heaps of kids out there getting into drugs and other bad stuff, so I don't think you can knock a sport that gives you confidence and self-respect ...

Boxing is not about violence, it is about self-defence and taking pride in yourself.

Kostya Tszuyu, another famous boxer, is quoted as saying:

Anybody in the world can be good. Anyone. It just depends on how much desire you have and how much you really want to realise your dream. I was just an average kid, nothing really special, so I am proof that anyone can be a world champion. If you want it enough you can achieve it.

That is exactly what kickboxing and boxing are all about.

I support the idea of changing the name from martial arts to combat sports because, as the honourable member for Hawthorn has said, the term 'combat sports' encompasses more than just martial arts. Aikido, for example, a Japanese martial art, focuses on the integration of mind and body, which some government members would have a problem with. There is no competition in aikido and, therefore, there are no winners or losers.

Under the current legislation you need two licences, one for boxing and one for kickboxing, and as the honourable member for Hawthorn has said, there are only eight people who have both. He also mentioned one of the great fighters, Tosca Petridis, whom I also had the pleasure to see. Tosca was a great fighter. Having one licence makes sense, because it costs less — even though the savings total only \$120 every three years — and it makes it easier to monitor the history of each contestant.

While the bill goes some of the way, there is still a lot of work to be done. Honourable members will have read in the *Herald Sun* about the brawl that broke out and in Geelong North about two weeks ago. I quote from that newspaper:

Five spectators were forced to seek refuge in the boxing ring as others hurled chairs and threw punches at each other in the Friday night melee.

...

Eyewitnesses described one person being beaten by several others against a dressing-room door as chairs were being thrown at women in the audience.

The bill could have gone a bit further. If kickboxing is to gain some respect the minister should look at the bill and perhaps make some changes later on.

Ms BARKER (Oakleigh) — I am delighted to make a small contribution to the debate on the Professional Boxing and Martial Arts (Amendment) Bill. Some honourable members may not recognise the reason for my interest in boxing, so I will explain it.

Prior to making some brief comments on the bill I will refer to the comments of the honourable member for Hawthorn about Festival Hall, which I think he called the House of Stoush. I never went to Festival Hall to witness boxing. My first visit to Festival Hall was to attend my first ever political rally, where I heard the great Gough Whitlam speak during the It's Time campaign. Moving out of the packed hall at the end of that exciting and wonderful event, I observed a lone Liberal Party supporter on the footpath with a placard. He was nearly a part of a boxing event, but the police moved him on quickly.

The bill provides an effective and efficient regulatory structure for the professional boxing and combat sports industry. That is extremely important. Clause 6 inserts proposed section 5A, headed 'Recognition of amateur associations'. I note the comments made about amateur associations and the need to do more in that area. But it is also important to have this sort of legislation in place, because it is obvious that the participants in amateur boxing are the ones who take the next step into professional boxing.

The reason I have an interest in boxing, which may not be immediately apparent, is that on becoming elected to represent the electorate of Oakleigh I became involved with the Oakleigh Youth Club. In December 1999 the club was in a fair amount of bother because of lack of support from amateur boxing leagues and local government. The problem had to do with the way the club operates the gym in which it conducts amateur boxing, kickboxing and tae kwon do, primarily for young people in the area. I have been pleased to work over lengthy periods with members of the club, including Paul Leyton, Craig O'Sullivan and David Anderson, who volunteer their time nearly every day and on most weekends to train young people in boxing.

It has been an education for me. I have reservations about boxing, but not about the way those young people train, the discipline and the commitment required to undertake that training on a regular basis, the fitness, the focus and the activities they are involved in. There is one young chap who came out of one of the local gangs and got involved with the Oakleigh Youth Club and is now back on track. He is back at school. The activity of boxing provided for him a focus in his life that he desperately needed. At the end of last year he won the Australian under-17 boxing championship. He

is thriving because of the work those volunteers have done with him.

It is necessary to have an effective and efficient regulatory structure for the professional boxing and combat sports industry because, as is obvious from the amateur groups that are thriving out in the suburbs and are doing a lot of great work with kids off the streets, there is a need for something for them to step up to.

A lot of the great male boxers have been mentioned in previous speeches, including Gus Mercurio — whose name I raised in conversation with the honourable member for Hawthorn — and Cassius Clay.

An Honourable Member — And his daughter!

Ms BARKER — Yes, and his daughter. I conclude by mentioning a great Victorian lady who is involved in the combat sport of tae kwon do, which is an activity conducted at the Oakleigh Youth Club. Lauren Burns won gold for Australia at the Sydney Olympics in the sport of tae kwon do and has done a lot — —

An honourable member interjected.

Ms BARKER — Yes, but these are the sorts of activities that are undertaken in the youth club areas that I am talking about in Oakleigh — that is, boxing, kickboxing and boxercise — and it is in all of those areas that they need the next step to go to. I commend the bill to the house and wish it a speedy passage.

Mr PATERSON (South Barwon) — The Professional Boxing and Martial Arts (Amendment) Bill renames the Professional Boxing and Martial Arts Act 1985 as the Professional Boxing and Combat Sports Act 1995. It enables a person registering as a contestant under the act to compete in both boxing and combat sports and provides statutory immunity to members of the Professional Boxing and Martial Arts Board for acts done in good faith.

Liberal Party members have consulted widely, as usual, on this bill. It seems we could have consulted with every beneficiary of the act without taking very long. However, we did speak to Bernie Balmer, who is the chairman of the Professional Boxing and Martial Arts Board, and Bart McCarthy at Combat Sports and Recreation in Victoria. The Liberal Party does not oppose the bill.

The proposed legislation came about from a competition policy review. One of the recommendations of the review reads:

Sport and Recreation Victoria, in consultation with industry bodies and medical authorities, examines the scope for

replacing legislative provisions that detail prescriptive rules with provisions that, for instance, cite national or international industry standards or set performance-based criteria.

That was not taken up by the government in the bill. Perhaps in his summing up the minister may care to explain that omission.

The primary purpose of the bill is to protect the health and safety of contestants, which is very important, in professional contests that typically take the form of boxing or kickboxing events. Having read through some of the material, I do not think there are a lot of participants in the sport, but the bill is nonetheless an important piece of legislation for those who do participate.

I have learnt that there are more than 40 detailed, government-mandated rules covering the conduct of boxing contests. They get down to fairly specific requirements and include contestants' minimum arrival times before a contest; a stipulation that a contestant must be ready to enter the ring when asked to; knockdown procedures; and foul practices. I do not know whether that covers Mr Hopoate or not. Speaking of Mr Hopoate, since Tony Lockett has left the sporting scene in Sydney I understand Hopoate has taken on the nickname of 'Pluggger'.

Boxing has a rich history in Victoria. Honourable members would well remember the program *TV Ringside*. It was a great honour to work for many years for Ron Casey. I arrived at Channel 7 as a young lad aged 18 years and worked there for nine years. It was pretty hard to miss Ron Casey's great enthusiasm for boxing. That program also featured the great Merv Williams, whose commentaries included marvellous lines such as 'He's like the boy with the barrow, he's got the job in front of him', 'He's swinging like a garden gate in a gale' or, 'He's hit him everywhere but the soles of his feet and the roof of his mouth'.

The bill is an important piece of legislation, and I commend it to the house.

Mrs MADDIGAN (Essendon) — I congratulate the government on the Professional Boxing and Martial Arts (Amendment) Bill. Any bill that improves the safety of people engaged in boxing, kickboxing and other forms of combat sports should be supported by this house.

In some ways Essendon is the home of boxing because it is home to a number of famous people who have been involved with boxing. Many boxers have been mentioned tonight, but one of the most famous names in boxing, and one that has been around for the longest

time, is Jack Rennie. It is not for me to say how old Jack Rennie is, but he is still engaged in the boxing industry in my area, as he has been for many years. A number of honourable members would remember the many famous boxers he has been involved with.

I sent Jack Rennie a copy of the bill to look at because I thought he would know a little more about boxing than I do. I am glad to say that he was totally in support of it, but he did say in passing that he thought that no government has ever put enough money into professional boxing.

Interestingly, while boxing is an old sport, it was regulated in Victoria only in 1975 through the Professional Boxing Control Act, which was established to improve the safety of boxers by requiring medical supervision of boxers and contests by the prescription of minimum standards of boxing equipment and through the licensing of promoters.

While that act was fairly broad, it was tightened significantly in 1985 by the then Minister for Sport, who is of course the father of the honourable member for Geelong, who has spoken on the bill. In the main the 1985 increase in sporting controls followed representations from the boxing industry.

The change in the title of the act — from ‘martial arts’ to ‘combat sports’ — is important, even though I noticed that some members on the other side could not follow the reason for it. Martial arts now cover a wide area, and combat and non-combat sports need to be differentiated for the community’s sake. According to the *Encyclopaedia Britannica*:

Martial arts can be divided into the armed and unarmed arts. The former include archery, spearmanship, and swordsmanship; the latter, which originated in China, emphasise striking with the feet and hands on grappling. In Japan, traditionally a warrior’s training emphasised archery, swordsmanship, unarmed combat, and swimming in armour ...

I thought I would alert the house to that, because I understand that currently a new swimming contest is being discussed, and swimming in armour is something participants might like to consider.

So that I could speak in support of the bill I have kept to my 2 minutes! I wish the bill a speedy passage through the house.

Mr SMITH (Glen Waverley) — I want to talk briefly about attitudes. I have found that in the organisations with which I have been involved — for example, the army or police boys clubs — wherever facilities have been available for properly refereed

boxing matches the attitudes of would-be thugs are quickly tested when they are put in the ring.

Having those facilities and properly refereed matches available always results in a lessening of tensions. Like other members, I believe we should promote opportunities for young fellows to get into the ring under proper supervision and with the proper security, because it stops much of the thuggery that can occur elsewhere.

About six or eight years ago I took one of my young fellows to Jack Rennie’s gym over in Essendon, which the honourable member for Essendon talked about. He was about 14 at the time. We saw a couple of boxers reeling in the ring — and a lot of blood and gore. It was a typical Sunday morning over at Jack Rennie’s!

About a week later he talked about going back again. I said, ‘I have had a phone call from Rennie’s’. He replied, ‘What was that about?’. I said, ‘That 23-year-old you saw over there has challenged you to go across and have a go in the ring’. He nearly died; it took the wind out of his sails for ages. We went back a couple of times and matched him up against someone he could properly have a go at. That is one way of directing attitudes.

The bill has great potential, even if it does not go far enough. But as I have said, if boxing is promoted in the ways I have outlined, I believe there would be less tension in the community.

Mr PANDAZOPOULOS (Minister for Gaming) — As the minister representing the Minister for Sport and Recreation in this house it is my job to mop up after this bout. I thank the honourable members for Hawthorn, Rodney, Mitcham, Polwarth, Geelong, Bulleen, Oakleigh, South Barwon, Essendon and Glen Waverley for their contributions, each of which was different from the others.

One of the frustrating things about being the minister at the table is that there are many things you would like to say but cannot. Given the courtesy of the members who have spoken and the lateness of the night, I will not contribute to the debate, except to say that this is a great place for the sorts of bouts we heard described by honourable members. The great balcony challenge a few weeks ago between the honourable members for Berwick and Brighton would have sold many tickets.

I remind members on the other side that this bill is needed because the national competition policy review requires us to produce such legislation by the end of this year. Scrooge Costello, the federal Treasurer, will withhold tranche payments to Victoria if this bill is not

passed. I thank honourable members for their contributions.

Motion agreed to.

Read second time.

Committed.

Committee

Clauses 1 to 6 agreed to.

Clause 7

Mr PANDAZOPOULOS (Minister for Gaming) — I move:

1. Clause 7, line 30, omit “Control” and insert “and Martial Arts”.
2. Clause 7, line 31, omit “Control”.

Mr BAILLIEU (Hawthorn) — The opposition supports the amendments.

Amendments agreed to; amended clause agreed to; clauses 8 to 10 agreed to.

Clause 11

Mr PANDAZOPOULOS (Minister for Gaming) — I move:

3. Clause 11, page 7, line 2, omit “Kyokuskin” and insert “Kyokushin”.
4. Clause 11, page 7, line 9, omit “Kyokuskin” and insert “Kyokushin”.

Mr BAILLIEU (Hawthorn) — The opposition supports the amendments.

Amendments agreed to; amended clause agreed to.

Reported to house with amendments.

Remaining stages

Passed remaining stages.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Transport).

RULINGS BY THE CHAIR

Adjournment

The SPEAKER — Order! Before calling on the adjournment debate I wish to make a statement. In view of the number of points of orders that are commonly

raised during adjournment debates and the apparent misunderstanding at times among some honourable members as to the nature of the debate, I wish to make a statement setting out the procedure to be adopted:

1. The adjournment debate enables honourable members to raise matters of urgent public concern for the attention of specific ministers and to seek action in relation to such matters.
2. A member may raise one matter only and it must relate directly to the administrative responsibilities of a state minister, not the future legislation.
3. The debate is not a second question time. It is important to remember that it is an opportunity for members to raise issues on which they consider action is needed that is something distinct from asking a question to seek further information.
4. Under sessional orders a member has a time limit of 3 minutes in which to raise a matter. In practice, that time is being eroded by points of order by which it is claimed that no action has been requested or by the Chair needing to intervene to ask that such action is stated. It has been traditionally stated in this house that the technique a member should adopt is to:
 - (a) set out the complaint;
 - (b) indicate the minister or department involved;
 - (c) give a brief resumé of the facts; and
 - (d) suggest what action is sought.

While I concur that these are essential elements that should be adhered to, I strongly suggest to honourable members that in speaking during the debate they state the action sought as early as possible in their contribution so as to avoid being interrupted. That would not preclude more detail being given later during the 3-minute period, but it would demonstrate early compliance with the requirements and therefore reduce the possibility of a point of order being taken. I ask all honourable members to carefully consider their contributions in the hope that future adjournment debates run smoothly and without frequent interruptions.

Mr McArthur — On a point of order, Mr Speaker, I seek clarification on the statement you have just made.

I appreciate the Chair giving advice to honourable members about the management of the adjournment debate. If I recall correctly, very early on in the points that you were making you said the matter that was being raised by a member should be a matter of some urgency. I seek some clarification of that because I believe that would significantly restrict the previous latitude that honourable members have had. If that is the case and if my memory is correct perhaps you could outline to us how that urgency might be interpreted.

The SPEAKER — Order! The terminology used in the statement I have just made to the house has been drawn from previous rulings contained in Speakers' rulings and in no way alters the parameters that are set down in those previous rulings. To be more specific in responding to the point of clarification sought by the honourable member for Monbulk, the Chair has been lenient and will continue to be lenient in its interpretation of urgency.

ADJOURNMENT

Mr BATCHELOR (Minister for Transport) — I move:

That the house do now adjourn.

Police: Bendigo

Mr WELLS (Wantirna) — I raise with the Minister for Police and Emergency Services policing levels in Bendigo and I ask the minister to take immediate action and have this matter addressed by the Chief Commissioner of Police. I raise the matter tonight because I have received a large number of letters from the Bendigo area expressing concern about the level of policing there.

When I visited Bendigo last November it was clear to me that the Bendigo police were under a great deal of pressure. They do an excellent job, they are very dedicated and community safety is their no. 1 priority, but they have been badly let down by the Bracks Labor government. A desperate shortage of police in the Bendigo area is resulting in three major concerns. The first is that in March, the month that has just gone, 66 shifts were required from the Bendigo police to cover court duties. Having to cover court duties places enormous pressure on the police.

The second issue is that if a divisional van is to be kept on the road police officers have to be brought in from the outlying areas of Bendigo — Axedale, Eaglehawk, Elmore, Bridgewater and Raywood. Some of the surrounding or outlying areas of Bendigo are left

unmanned because police have to be brought in to drive divisional cars around the streets of Bendigo.

The third issue, which is equally as important, is that in November last year I called on Minister Haermeyer to fix the overcrowded police cells. At the moment they are both full. A special needs prisoner places additional pressure on the police. A female prisoner — they had one in the past couple of weeks — adds extra pressure because a female officer has to be brought in.

Those three issues — court duty, bringing police in from outlying areas and the overcrowded police cells — mean that the Bendigo police are under a great deal of pressure. The amount of sick leave and stress leave has increased, making it more difficult for the officers who are turning up. I ask the Minister for Police and Emergency Services to take this matter up with the Chief Commissioner of Police so that resources are moved into the Bendigo area urgently and we can ensure that the community safety interests of Bendigo are well addressed.

Start program

Mr JASPER (Murray Valley) — I refer the Minister for Police and Emergency Services to the curtailment of the very successful Start program which was operated by the previous government and the need for the minister to reconsider reintroducing that program.

The program was introduced in November 1993 with an initial budget of \$3 million over two years. Subsequent to that it was funded on the basis of approximately \$1 million per year. Under that program individuals and organisations could put forward programs for securing funding up to \$10 000 to assist with a program or a capital works item for a sporting or recreational activity which would assist young people or others to be involved. A basic requirement of the program was that it be supported by the police in the local area and have the objective of getting young people particularly and others involved and trying to assist in reducing crime and certain activities that might take place in communities.

I believe that program was highly successful across the Murray Valley electorate, where I saw a large number of sporting and recreational organisations secure funding. With the change of government I raised the issue with the new Minister for Police and Emergency Services on the basis of the program's great success and the need to continue with funding because of the support it gave to country areas where we were seeing facilities being developed and improved. The program

provides activities for young people and older people as well.

I raised the issue with the minister in a letter last year because no decision had been made. I will quote briefly from his response:

The difficulty with the Start program was that it often subsidised generalised recreational activities that were not linked to its core objective of reducing crime. The small grants funds available for crime prevention would be better utilised if they were targeted towards young people at a higher risk of offending or using drugs.

He goes on to say that the funding would be provided through a new program called the Crime Prevention Investment Fund, which will assist other areas where there are problems with young people and crime-related activities.

I suggest the minister should reconsider what is being done with the funding that is being provided and go back to the basics of providing funding to organisations that apply. The program was operated by two people in the department. They were able to successfully get money out to sporting and recreational organisations, which has helped in developing facilities to assist young people and others in programs.

Aged care: Coburg

Mr CARLI (Coburg) — The matter I raise for the attention of the Minister for Aged Care concerns home and community care (HACC). As you will be aware, Mr Speaker, the seat of Coburg has a large concentration of older people, a large proportion of whom are from ethnic and linguistically diverse backgrounds. The reason for that is the great waves of migration to Coburg in the 1950s and 1960s and afterwards. Many of those who have made such a great contribution to the local community, helping it to develop and giving it so much of its character, are now older persons and increasingly in need of care.

I seek from the minister more targeted resources to ensure that Coburg's aged and ethnic communities have a range of support services that meet their needs and assist them in continuing to live in their homes. The flexibility provided by the HACC program is crucial not only in my electorate but obviously in numerous electorates in Victoria where there is a large proportion of older people from linguistically diverse backgrounds and where the proportion of the aged is also increasing. That flexibility is needed so different services can be provided. As I have moved around the aged community I have noted the ways in which we have had to adapt and change the available infrastructure and other

resources to ensure that they meet people's different needs.

I ask that the ethnic aged in the Coburg electorate have the opportunity to access targeted HACC resources that meet their specific needs. I seek that action because the community is finding it increasingly onerous to meet their diverse needs. There is a need for resources, regardless of how much we rely on the good work of local community groups, church groups, the ethnic communities and local councils. We need more assistance from the state government to ensure that these services are provided in the best possible way. I have noted how we have, over time, changed the way services are delivered. That is demonstrated by the fact that in my electorate a bowling club was converted to a bocce club to meet the needs of older persons. That symbolises the change in the composition of the population.

Chelsea Community Health Centre

Mr LEIGH (Mordialloc) — The matter I raise for the attention of the Minister for Health, who unfortunately is not in the chamber, concerns the amalgamation of the Chelsea Community Health Centre and the Central Bayside Community Health Centre during 1996–97.

An honourable member interjected.

Mr LEIGH — Just wait for a second and you might find out what is going on. At the time the Department of Health and Community Services advised that the community health centres should desist from spending money. The result was that Central Bayside obeyed the arrangement but unfortunately the Chelsea Community Health Centre did not. It purchased a \$34 000 bus, which the current community health centre cannot replace because it has no arrangement with this government. The centre spent \$3000 on employment, \$7200 on an employment contract and \$10 000 on an infection control manual — and some \$20 000 is unaccounted for. Central Bayside is refusing to sign off on the audit. I had some concerns at the time, but I had no information; and as organisations such as the Chelsea Community Health Centre were run by the Labor Party even when the coalition was in government, it was difficult to deal with.

Honourable members interjecting.

Mr LEIGH — There were people on it like Darlene Salisbury, who is a branch member of the ALP, and a number of others. On 26 February — I am happy to make the material available to the house — I wrote to the Minister for Health, Mr Thwaites, asking for a

resolution, but I did not get a response — and under this efficient government that is the case to this day. However, I also wrote to the Auditor-General. In a letter dated 15 March he said he was standing by, as he understood the southern regional office of the Department of Health and Community Services was investigating the matter.

What is even more appalling is that \$20 000 is missing from the organisation, which is run by the Labor Party. The chairman is none other than the honourable member for Carrum, Ms Jenny Lindell, who has responsibility for what happened to the \$20 000. We would like to know. The Labor Party had misused this organisation —

Honourable members interjecting.

Mr LEIGH — It is only taxpayers' money so what would they care!

Ms Lindell and others have somehow managed to obtain the \$20 000 and misuse it in some way. I call on her and the other members of the Labor Party involved in this to come forward as part of Labor's transparency in government and deal with the matter, because this is a rip-off in typical Labor Party fashion.

The SPEAKER — Order! The honourable member for Mordialloc has failed to call for action by the minister.

Mr LEIGH — I asked for an investigation by the Minister for Health at the beginning of my contribution. I wrote to the minister and still have not received a reply. I am asking the minister to investigate and get back to me. I have clearly asked for some action.

The SPEAKER — Order! If that is the case, the contribution is acceptable.

Gaming: problem gambling

Mrs MADDIGAN (Essendon) — I raise for the attention of the Minister for Community Services the matter of problem gaming. I ask the minister to take action to ensure that campaigns to combat problem gaming are inclusive, so that the community at large, residents, businesses, councils and so on can participate in the programs being introduced, and that the campaigns are targeted in the areas where gaming machines are most thickly dispersed.

I raise this tonight because of concern in my local community about the large number of gaming machines in our area, particularly in Flemington. An article in the *Moonee Valley Gazette* of 2 April states:

Gamblers lost more than \$73 million on poker machines in Moonee Valley last year, up by more than \$5 million on the previous year.

These are figures provided by the Minister for Gaming. The article further states:

Poker machines in Moonee Valley earned more than most of the city's residents last year, each one retaining an average of \$96 589.

Unfortunately the real cost of gaming is considerably higher. The cost of problem gaming to the individual, the family, the community, work and study as well as the legal and financial aspects of life is significant. Currently a number of people are incarcerated in institutions because of their gaming problems.

The particular concern is that at the southern end of my electorate near Flemington Racecourse there is a large concentration of gaming machines, and residents in that area are concerned about a further application for development on the corner of Union, Ascot Vale and Racecourse roads. It is a relief to residents that this area is included in the Maribyrnong Plus regional cap, so the number of gaming machines will not increase, although they can be relocated from other areas. The community wants to be part of the program, because it now realises that gaming problems cannot be solved by government alone. There has to be an overall commitment from the whole of the community to help people who have severe gaming problems.

What action will the minister take to assist in ensuring the community at large can be part of the fight against problem gaming in our state?

Roads: school speed limits

Mr SAVAGE (Mildura) — I wish to raise an issue for the attention of the Minister for Transport. Since the introduction of the 50-kilometre-an-hour urban speed limit there have been some difficulties with some of the arterial roads. Mildura Rural City Council has a policy of having 50-kilometre-an-hour speed limits outside schools. Unfortunately Vicroads has overruled that policy, and where the signs have been erected it has directed they be removed and replaced with 60-kilometre-an-hour signs. St Joseph's College in Eleventh Street, Mildura, and a neighbouring primary school have 1200 students, about 800 of whom cross the road to board buses or be picked up by parents.

I ask the minister to consider having a policy for the state. I am sure many schools are located on arterial roads, requiring consideration of traffic movement, but I think the more important priority is the safety of our children. We need to have a global vision for the state

on this issue. It is appropriate that that Vicroads policy be reviewed so councils can make those sorts of decisions.

Workcover: Geelong claim

Mr CLARK (Box Hill) — I raise for the attention of the Minister for Workcover the plight of Mr Lindsay Wong of Geelong and I call on the minister to ensure that Mr Wong urgently receives a Workcover payment he was promised and which he needs to pay off the mortgage on his home. Mr Wong was injured in an angle grinder accident in his Geelong workshop on 15 April 1999. He has been assessed as having a whole person impairment of 54 per cent.

Mr Wong is one of the people to whom the Premier promised special assistance on 11 April last year under what the government called its intensive case review program (ICRP). It offered people assistance, including the chance, where appropriate, to access a lump-sum settlement of their benefit.

Mr Wong received a letter from Workcover dated 13 September last year confirming his eligibility for the ICRP, including having Workcover facilitate his access to lump-sum impairment benefits. He decided to take advantage of this option in order to pay off his mortgage. All went well at first, and on 16 October Mr Wong's Workcover insurer confirmed to his bank that he would receive a large lump-sum payment some time in December 2000. On the basis of this assurance Mr Wong's bank put legal action against him on hold.

However, Mr Wong was then told that he would not be receiving the payment he was promised after all. In February this year the Victorian Workcover Authority said that the government had decided it needed legislation to provide for such payments and this meant that workers like Mr Wong could not expect a settlement until later in 2001. Mr Wong is now at risk of losing his home because he does not have the funds he was counting on to pay off the mortgage. Other injured workers may well be at risk of similar losses.

The government's handling of this matter has been appalling. In April last year the Premier appeared on television reassuring injured workers that they would be looked after, yet a full year later the payment scheme is still not operational and the government has changed its mind and pulled the plug on the scheme. It will now not have any scheme operational until more than a year and a half after the original announcement was made.

To make matters worse, the government can in fact pay out Mr Wong if it wants to under existing law. Section 115 of the Accident Compensation Act allows

the Workcover authority to pay lump-sum settlements in such circumstances as are prescribed. In other words, all the government has to do is make regulations covering cases such as Mr Wong's and that will allow the authority to make a payout. Therefore, I repeat my call for the Minister for Workcover to act urgently to ensure that Mr Wong receives the payment he was promised, whether under Workcover or by way of ex gratia payment.

Gaming: machines

Mr SEITZ (Keilor) — I ask the Minister for Gaming to clarify the boundaries of the Maribyrnong Plus region, which has had a cap placed on it. This region takes in part of the City of Brimbank, but clarification is needed on the part of Brimbank that is not shown on the leaflet recently letterboxed in the area explaining the Maribyrnong Plus region.

I am asking the minister specifically to clarify in the house this evening the parts of Brimbank not shown on this map. There are three other clubs or organisations in the area that may want to have poker machines installed. The existing clubs not shown on the map want to know whether they are likely to lose machines or whether they will be able to increase their machine numbers and develop further. The map is a broad general outline and does not specifically indicate the whole of the City of Brimbank, coming down towards the Keilor and Sydenham end, which is the growth area. I ask the minister to clarify the situation in regard to that particular region.

We have sufficient gaming machines in the area, with the Taylors Lakes Family Hotel, the Kealba Hotel, the St Albans Hotel, the Green Gully Soccer Club and the Italo Australian Social Club. Those venues have gaming machines but are not shown as part of the Maribyrnong Plus region cap.

I seek clarification from the minister on whether other machines and other new venues will be developed in the area and — —

The SPEAKER — Order! The honourable member for Keilor must ask for action, not simply seek information.

Mr SEITZ — I am asking the minister to clarify how far out the Maribyrnong Plus region extends because of what is not shown on the leaflet that has been put in letterboxes.

The SPEAKER — Order! The Chair understands that the honourable member for Keilor is asking the minister to define the capped area.

Whittlesea: road charges

Ms BURKE (Pahran) — I raise a matter for the attention of the Minister for Local Government. I seek an inquiry into the City of Whittlesea's road improvement special charge scheme for Glenburnie Road between Wallan and Clarks roads, Whittlesea, listed on the council's agenda on 20 February.

Section 163 of the Local Government Act, which was brought in in 1989, allows municipalities to introduce a special rate and charge for specific purposes. Generally a large amount of consultation goes with the process.

Much of the debate at the time was about sections of strip shopping centres that people wanted to be promoted. The strip would be charged for a promotion fund, to which the council agreed. It occurred when shopping centres such as Northland, Southland and Eastland were competing with strip shopping centres. There were reasons for the charge.

However, the City of Whittlesea is abusing the use of the charge. The ratepayers involved are being abused considerably. Imagine, after buying a property on a government road, coming home one night to find a council bill for \$6000 in some cases, \$12 000 in others and sometimes \$85 000 or even more. A couple of affected residents have been experiencing illness in the family, and this extra stress has caused them enormous problems. They cannot sell their properties because no-one wants to buy them. Nearby roads with the same rating have not had the charge put on them and have had free roadworks. It has caused considerable trouble.

The council has taken an absurd attitude to ratepayers. It will not sit down with them and work through the matter. The council keeps telling me that it has spoken to the ratepayers but it has not really explained why it is charging this amount of money.

I ask the Minister for Local Government to take the request of these citizens seriously. They are ratepayers who cannot afford this charge. If this is an example of the way the Local Government Act is to be abused, the system should be changed, and I seek the minister's intervention.

Residential tenancies: review

Ms ALLAN (Bendigo East) — I raise a matter for the attention of the Minister for Housing regarding the residential tenancies legislation review and I ask what action she will be taking to ensure that there is appropriate and adequate statewide consultation on the important review and any proposed changes coming out of it.

As honourable members would be aware, the Residential Tenancies Act affects thousands of Victorians, whether they are tenants in private property or in public housing, or landlords who own the property. Last year I accepted the invitation of the Minister for Housing to chair the Residential Tenancies Act working group. It is pleasing to see that the group broadly represents groups within the industry. Those groups include the Real Estate Institute of Victoria, the Tenants Union of Victoria, the Victorian Caravan Parks Association, the Springvale Community Aid and Advice Bureau, Hanover Welfare, Consumer and Business Affairs Victoria, the Brotherhood of St Laurence and many other agencies.

The working group has been meeting regularly, it has gone through a vast amount of information that has come before it, and it has had broad-ranging discussions on some proposed changes that will cover a number of areas that need to be considered by the broader Victorian public.

It must be remembered that the act was changed in 1997 under the former government amid some contention. One of the most difficult issues that people had to come to terms with was the structure of the act, which combined three previously separate pieces of legislation. Indications were given to the working group by people within the industry — both landlords and tenants — that those changes to the act have made it very difficult to understand and use in resolving residential tenancy issues.

Other areas of concern up for consideration include provisions dealing with violence, particularly in rooming houses; housing standards; and the issuing of receipts. Caravan parks are an important part of the working group's consideration, particularly those along the state's coast and also those in country Victoria, where they provide important short-term accommodation. The working group has also had to balance the competing needs of the tenants and the landlords.

The SPEAKER — Order! The honourable member's time has expired. The honourable for Bentleigh has 1 minute.

Housing: Moorabbin refuge

Mrs PEULICH (Bentleigh) — I refer to the attention of the Minister for Housing an issue she knows about, because I have tabled a petition with 1000 signatories opposing the proposed development of a youth refuge on the corner of Wickham Road and Nepean Highway, Moorabbin — a proposal on which

there has been no community consultation and which has aroused significant concern in the community.

After many months of lobbying by me and the honourable member for Mordialloc, the Labor mayor of the City of Kingston, Elizabeth Larking, has finally agreed that there needs to be a community meeting about the matter. I have written to the minister asking for a date and time for that community meeting, given that her Labor colleague Elizabeth Larking has called for it in the council newsletter, *Kingston — Your City*.

I now call on the minister to make available the details of the community meeting which locals have been calling for for many weeks and which the Labor Party has also been belatedly calling for.

Responses

Ms CAMPBELL (Minister for Community Services) — A matter was referred to my attention by the honourable member for Essendon, who has taken a strong interest in problem gambling counselling services since the Labor government took office. Our government has promoted problem gambling counselling services and ensured that there is a hard-hitting and truthful advertising campaign out there delivering strong community messages that ask problem gamblers to think about what they are really gambling with.

The honourable member for Essendon has outlined her concerns and those of her residents about the southern edge of her electorate in particular. I am pleased to inform the honourable member that as a result of the government's campaign, people are thinking about what they are really gambling with and are recognising that they can lose not only their money but also their family — their children — their job and their self-esteem.

The government has promoted that message strongly through the electronic media, print media, billboards, and convenience advertising as well as through brochures, which I am sure the honourable member has distributed throughout her own electorate.

The Bracks government's strong problem gambling communication strategy was based on the proven formula of listen, learn and lead. That is why our message is so strong and why we have had an increase in face-to-face counselling of over 100 per cent.

That is based on advice provided by gambler help services. The government has listened to problem gamblers, the inter-church gambling task force and community leaders. That truthful advertising campaign

has proven to be successful for problem gamblers and it has curbed the growth rate of Victoria's gaming industry, which has fallen dramatically since the government introduced its responsible gaming legislation and engaged in its strong problem gambling communication strategy.

One excellent example of the community being able to participate in a strong partnership that can be implemented not only by the honourable member for Essendon but by other honourable members of this house is phase 2 of the problem gambling communication strategy, which brings on board community groups in the corporate and social sectors and community support organisations to ensure there is a strong community-based problem gambling strategy.

The first example of that community partnership occurred this morning when the media and the corporate world combined to provide another problem gambling advertisement site at the southern end of the electorate of the honourable member for Essendon on the corner of Racecourse Road and Bellair Street near the Flemington racecourse. Steve Price from 3AW talked about the government's problem gambling communication strategy on his drive program and the support of Eyecorp this morning in putting up a huge billboard to ask people to think about what they are gambling showed how the combination of the media, the corporate world and the government can be a spectacular success.

The government is strongly supportive of partnerships with local communities, such as churches, social clubs, community support organisations, the business world and other groups that honourable members may like to bring on board. They will be incorporated in phase 2 of the government's problem gambling communication strategy, which involves \$6.1 million of additional funds going into problem gambling support services to ensure people get help when they need it.

Mr CAMERON (Minister for Local Government) — The honourable member for Box Hill raised with me as Minister for Workcover a matter concerning an injury one of his constituents sustained that resulted in a 54 per cent whole-of-person impairment. I note the honourable member will provide correspondence to me. The honourable member suggests that the existing law could be used. However, my advice is that the existing law cannot be used because it cannot be limited to a particular period.

An honourable member interjected.

Mr CAMERON — No. In this case it would be the period from November 1997 to October 1999. The period cannot be limited, so there would need to be legislative change.

The government's commitment is that persons who were 30 per cent whole-of-person impaired during that period and who are permanently unable to work and have been off work for more than two years may receive an offer of settlement. That will have to be actuarially calculated. The full extent of the number of persons will become much clearer in the coming months as we approach the two-year period after the relevant cut-off date — in this case, the two years from October 1999 to October 2001.

It is very important that such things are done according to actuarial principles. We must ensure that we get the financial balance of the scheme right. I am sure all honourable members appreciate that — and that there are more than \$1 billion of unfunded former coalition government liabilities in the scheme. We must ensure that as we go forward we properly consider the financial issues, because the impact of those enormous liabilities must be taken into account.

The honourable member for Prahran raised with me as Minister for Local Government a special charge scheme of the Whittlesea council which is being applied to some unmade roads in the north of the municipality that are progressively being made. It is a policy that was implemented and laid down during the period when the council was run by the commissioners appointed by the Kennett government. The matter has been raised with me by some residents, the honourable member for Seymour and others and now by the honourable member for Prahran.

As the matter relates to a local road, the entirety of the decision vests with the local council, although in limited circumstances there can be an appeal to the Victorian Civil and Administrative Tribunal, and I understand that some appeals may have been lodged. As honourable members point out, the circumstances are very limited. It is prudent for the council to properly consult with its community. My understanding is that at the very outset the council sought the views of locals and the response was not great but subsequently it has been very great. Some people have been asked to pay \$20 000, \$40 000 or even \$80 000.

It is prudent for the council to revisit the matter because it is within the council's province. I am aware that Andrew McLeod, the Labor candidate for the federal seat, has taken up the matter, and that the honourable member for Seymour also has been pursuing it. I am

aware that the federal member is also concerned and has taken up the matter. I hope the council might be able to see its way clear to look at the situation again. Because the council is well regarded on a whole range of other matters, it would be a pity for it not to look at the matter given the level of concern about it in the community. The council could very well take the view that if people want to have an unmade road, let them have an unmade road.

Mr PANDAZOPOULOS (Minister for Gaming) — I will respond to the matter raised by the honourable member for Keilor. Those members who have read the story in today's *Age* by Adrian Rollins will have seen that the government's reforms as part of its responsible gambling strategy are certainly kicking in. The application of regional caps is only one of a number of measures that the government is introducing to assist with specific issues.

Areas where the number of gaming machines have been capped are those where indicators unequivocally suggest the vulnerability of communities. The measure is really focusing on areas that are suffering the most when compared with other areas. In the past we have not had a process in which a hierarchy of harm can be established to determine which communities are the worst affected. It is not addressing only problem gambling for individuals; there are also the issues of the high concentration of gaming machines coupled with high turnover and low socioeconomic status. They are the areas that are clearly suffering the most.

Those factors were focused on in determining the five capped areas identified. The process was to look at which municipalities are being affected in terms of accessibility to gaming machines, turnover and socioeconomic status.

The City of Maribyrnong and the Maribyrnong Plus area top the list for the worst affected areas. Members of the public will understand that although they are concerned about the impact of gambling in their areas, the government must start somewhere. In deciding whether to focus only on a municipality or beyond, the government took into account what local government was telling it as part of the responsible gambling consultation process.

The local government boundaries were important on their own, but if comparable neighbouring areas were also disadvantaged socioeconomically and had a high concentration of gaming machines or a higher turnover than the state average, they were also considered as part of the capped area. That is what happened with the Maribyrnong Plus area, where the neighbouring areas

covering parts of the City of Brimbank, particularly the Sunshine area, were comparable with the key areas in the City of Maribyrnong.

The cap was not expanded to include all of the City of Brimbank because some suburbs had a lower concentration of gaming machines or none at all, and because many parts of the city are in a growth corridor the population continues to grow and the density will be reduced over time. The cap is mainly to protect the communities in the City of Maribyrnong, but when the Department of Treasury and Finance made its assessment clearly neighbouring communities in the City of Hobsons Bay, in the City of Melbourne, in a small part of the City of Moonee Valley and in a large part of the City of Brimbank were comparable to Maribyrnong and were included. That is how the caps were formed.

I advise the honourable member that the government will review caps on an annual basis. It will receive feedback from local communities as to how they should be managed. The caps are a means of saying there should be no extra pokies for those communities, and for Maribyrnong it means a reduction of 157 gaming machines. The reduction occurs only in capped areas. The regulator, the Victorian Casino and Gaming Authority, in consultation with local venues, will manage the process. Venues outside the area are not affected by the cap, but are affected by social and economic impact tests.

If licensees decide to pursue extra gaming machines or 24-hour trading, when their licence comes up for renewal local communities and the local council will have a say and approvals will be made only on the basis of the net social and economic benefit.

Ms PIKE (Minister for Housing) — The honourable member for Coburg asked me as Minister for Aged Care a question about the government's funding for home and community care centres.

The SPEAKER — Order! Had the honourable member for Coburg asked a question he would have been out of order. He did not ask a question; he asked for government action.

Ms PIKE — I am sorry.

Mr Leigh interjected.

Ms PIKE — I will start again. The honourable member for Coburg raised with me the matter of state funding for home and community care centres, and particularly the need for targeting funding to older Victorians with culturally and linguistically diverse

backgrounds. I thank him for raising the matter because older people from a variety of ethnic backgrounds have made an important contribution to the character, colour and amenity of many localities in his electorate, my own electorate and many other communities across Victoria.

The government is committed to providing ongoing support through home and community care services. Without that program many older Victorians and people with disabilities would be compromised. Recognising the importance of those services, the government made a commitment at the last election and through the last budget to expand adult day care centres and other core home and community care programs.

Recently I announced a funding boost of \$8.3 million of state-only funding to the home and community care program, which includes \$5.6 million to expand services and an extra amount for one-off projects.

The government identified special needs groups towards which the dollars could be targeted; people from culturally diverse backgrounds constituted one group. Just over \$1 million was directed towards expanding services to those groups. In the Coburg electorate \$165 000 will be allocated. I remind the house that the funding is specifically from the Bracks government to help meet the social, cultural and recreational needs of people who are sometimes quite isolated in the community and who have special needs for appropriate social support.

The government has also expanded the culturally appropriate meals services. That service and the adult day-care program will assist people who have a language other than English to continue to live with dignity in their own homes. I hope it will keep them out of more expensive and often inappropriate residential care.

The honourable member for Bendigo East raised with me as Minister for Housing the issue of community consultation regarding the review of the residential tenancies legislation in Victoria. I am grateful that the honourable member agreed to chair the initial consultation process and has taken an ongoing interest in the residential tenancies legislation, because it affects thousands of Victorians, not only those who rent but also those who own rented properties. The government wants to make the act fairer, to improve the conditions and to reduce the unnecessary administrative process for landlords. The aim of the process is to ensure a fair balance exists between the needs of property owners and tenants.

The first part of what will be a statewide consultation process commenced in Bendigo yesterday. Further hearings will be held in Sale and Wangaratta and throughout suburban Melbourne over the next four weeks. People will be given many opportunities to discuss the proposed changes.

The sessions will be open to the public. Anyone with an interest in residential tenancies legislation is encouraged to attend. The government has also provided an opportunity for people to make written submissions, but they will need to be lodged by 30 April. All the comments and recommendations will be drawn together as the government prepares its final report. I look forward to feedback from the community regarding the legislation throughout the consultation period. I again thank the honourable member for her ongoing interest in and commitment to this important area.

The honourable member for Bentleigh again raised with me the matter of youth crisis accommodation for the southern region. In 1999 the Department of Human Services allocated funding to ensure a replacement facility would be available in the southern region for disadvantaged young people. Plans were compiled to provide accommodation for the vulnerable group of people aged between 16 and 21 years. The proposed facility will house up to eight young people who are already homeless or at risk of becoming homeless, and who have connections within the southern region.

A number of steps have already been taken to inform residents of the proposed development. The department initially wrote to over 300 residents, and an information day was held on 24 February. My department and people from my office have also briefed the honourable members for Bentleigh and Mordialloc, giving them as much information as possible. About 100 people attended the information day.

Mrs Peulich — On a point of order, Mr Speaker, I would hate the minister to inadvertently mislead the house. The briefing we received was about an entirely different facility located at the former Eastmoor Primary School site.

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

Ms PIKE — As the honourable member for Bentleigh indicated in her query, the City of Kingston has continued an active involvement in the community consultation process and has said it wishes to convene a public meeting. When that meeting has been announced

I will be happy to ensure that residents and the honourable member for Bentleigh are advised.

Mr BATCHELOR (Minister for Transport) — The honourable member for Mildura raised with me the issue of speed reduction measures on roads that pass schools. In particular, he raised the circumstances of St Joseph's College in his electorate, which has an arterial road passing by it.

When the general change in speed limits was introduced by the government earlier this year Vicroads determined that the speed limit for that road would remain at 60 kilometres an hour. However, the local council took it upon itself to install 50 kilometre an hour speed signs outside the school without contacting Vicroads, which has primary responsibility for the road. Accordingly, the council was advised that the responsibility lay with Vicroads and that the 60 kilometre an hour designation had to remain.

The honourable member conveyed his concern and those of parents and teachers at the school that the traffic and the road conditions should be such as to pose no danger to children travelling to the school, whether by car — being dropped off by their parents — by bus, by bicycle or on foot.

Because of his longstanding interest in road safety, particularly around schools, the honourable member for Mildura raised the issue not only in its particularity but also as a statewide concern, asking the government to consider how it could extend the 50 kilometre an hour speed reduction measure that it successfully brought in earlier this year. He asked whether the government would look at school settings, particularly schools on arterial and other roads that have speed limits in excess of 50 kilometres an hour, to see what could be done.

The honourable member has raised an interesting and important issue. I undertake to take the issue up with Vicroads to see whether it can apply not only to St Joseph's College in Mildura but also to other schools around the state.

The honourable member for Mildura correctly pointed out that this is a widespread issue. I point out to him that ultimately any changes or solutions to the issue would need community support. It would require a considerable impost on the government, but road safety is an important issue in terms of providing protection and assistance to the children attending our schools, particularly primary schools. The government will take it up and get back to the honourable member for Mildura. I thank him again for his interest in these

important issues. The government will look at them and bring relief and assistance in a much broader context.

The honourable member for Murray Valley raised a matter for the attention of the Minister for Police and Emergency Service with regard to the Start program, which was introduced by the previous government. The honourable member for Murray Valley spoke of the success he had had in having applications considered and accepted under that program. I will pass that information on to the Minister for Police and Emergency Services and ask him to discuss in detail either in person or by correspondence the issues raised by the honourable member.

The honourable member for Wantirna raised a matter for the attention of the Minister for Police and Emergency Services with regard to police resources in the Bendigo area. It was an amazing contribution when one considers that the honourable member for Wantirna was part of the government that did nothing to increase police numbers. That situation is in stark contrast to the approach of this government, which is providing additional police resources.

The government has made a commitment to recruit 800 extra police, and is in the process of doing that. Of course, opposition members do not understand the process for doing that. There has been an exceptionally high response to advertisements, which will lead to an enhanced training program and additional police resources being made available. I would have thought the honourable member for Wantirna would understand that, but he does not, and that obviously leads to his confusion.

The honourable member for Mordialloc raised a matter for the Minister for Health and asked him to investigate the amalgamation of the Chelsea Community Health Centre with the Central Bayside Community Health Centre in 1996–97 during the previous government's term of administration. However, in raising the issue in the way he did, the honourable member was doing nothing more than attacking a well-placed community organisation that is dedicated to helping ordinary people, particularly the sick, the disadvantaged, migrants and the elderly.

Mr Leigh — On a point of order, Mr Speaker, I point out that, unless his portfolio has changed, I asked the Minister for Health to investigate the matter. For Pontius Pilate over here to be saying anything about anybody's honesty and integrity is the last thing that should be happening. I simply ask him to pass it on to the Minister for Health so that he might respond to me.

The SPEAKER — Order! I do not uphold the point of order. The practice in the house has been to call the minister at the table to respond on all outstanding issues raised by honourable members.

Mr BATCHELOR — As I was saying, this amalgamated community health service is a community-based organisation that helps people. It is designed to do that task and is widely supported. The irony is that some constituents of the honourable member for Mordialloc would attend the facility, yet he comes into the house and seeks to undermine and attack the organisation — —

Mr Leigh — On a further point of order, Mr Speaker, I raised the matter in respect of moneys from Chelsea Community Health Centre, not Central Bayside Community Health Centre. Central Bayside is a very good organisation that will not sign off on the audit of these funds. I want the Chelsea health centre investigated not — —

The SPEAKER — Order! The honourable member for Mordialloc is clearly not raising a point of order but attempting to debate the matter.

Mr Leigh — You know you are good at twisting the facts — —

The SPEAKER — Order! The honourable member for Mordialloc!

Mr BATCHELOR — So we have not only a community organisation but members of the community who are dedicated to helping people to look after the sick and the elderly. People who provide — —

Mr Leigh — She ripped off — —

The SPEAKER — Order! The honourable member for Mordialloc!

Ms Lindell — On a point of order, Mr Speaker, I would like that withdrawn. That is highly offensive and it is a cowardly act from a lying thief!

Mr Leigh — I am happy to withdraw, but I did not name the honourable member. I am delighted that she actually named herself.

The SPEAKER — Order! The honourable member for Mordialloc has withdrawn.

Mr Leigh — I have just withdrawn, but the honourable member for Carrum said that I am a thief. I ask her to make the same withdrawal if the house is to have the same practices applied to all honourable members.

The SPEAKER — Order! Would the honourable member for Carrum withdraw her interjection?

Ms Lindell — Certainly, I would hate to insult thieves!

The SPEAKER — Order! The honourable member for Carrum has withdrawn.

Mr BATCHELOR — So we have a community organisation that is held in high regard. It has people from the local area who are — —

Mr Leigh interjected.

The SPEAKER — Order! The honourable member for Mordialloc should cease interjecting forthwith.

Mr BATCHELOR — The honourable member for Mordialloc is attacking these people and seeking to undermine the hard work that they do.

Mr Leigh — On a point of order, Mr Speaker, I did not attack the community. The minister is misrepresenting the facts.

The SPEAKER — Order! Again, the honourable member for Mordialloc has raised a point of order and proceeded to make a point in debate. I warn him that if he continues in that vein I will not hesitate to use sessional order 10 to bring order back to the house.

Mr BATCHELOR — The honourable member for Mordialloc, by his performance here tonight with his persistent interruptions and attack on the local organisation, is so obsessed with hatred and jealousy that he is not prepared to understand — —

Mr Leigh — On a point of order, Mr Speaker, the minister said that I was obsessed with hatred and jealousy. I ask him to withdraw the comment.

The SPEAKER — Order! The honourable member for Mordialloc has found the minister's comments offensive. I ask him to withdraw.

Mr BATCHELOR — I withdraw. The government asks the honourable member for Mordialloc to spend a bit more time acknowledging the good work that people do in the general area.

Mr Leigh — I was not talking about that.

The SPEAKER — Order! I have already issued a warning to the honourable member for Mordialloc, yet he continues to interject. If he interjects one more time I will ask him to leave the chamber under sessional order 10.

Mr BATCHELOR — The honourable member for Carrum has worked hard in the local area with the local community to provide a good community-based organisation that provides services and looks after the local people. The government asks the honourable member for Mordialloc to stop undermining it.

Motion agreed to.

House adjourned 12.42 a.m. (Wednesday).

