





**MINUTES OF THE PROCEEDINGS**  
**OF THE**  
**LEGISLATIVE COUNCIL OF VICTORIA**

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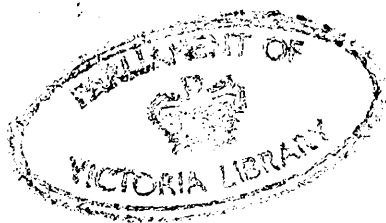
**SESSION 1979-80**

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**WITH COPIES OF THE DOCUMENTS ORDERED TO BE PRINTED**

By Authority F D Atkinson Government Printer Melbourne

160530



*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### Order of the Day (to take precedence):—

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—  
*Resumption of debate. (Hon. B. A. Chamberlain).*

### GENERAL BUSINESS

#### Notice of Motion

- 1 The Hon. D. R. WHITE—To move, That there be a Select Committee of eight Members appointed to examine the recent decision made by the Melbourne and Metropolitan Board of Works to ban the use of UPVC pipes in fourteen municipalities and further to ban the use of vitrified clay pipes in eight municipalities; the Committee to have power to send for persons, papers and records; three to be the quorum.

#### Order of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—To be considered.

**TUESDAY, 5 JUNE 1979**

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 CITY OF MELBOURNE (RE-SUBDIVISION) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 2 FORESTS (RESERVED LAND) BILL—(*F. J. Granter*)—Second reading—*Resumption of debate. (Hon. D. G. Williams).*

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

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**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorable's P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

**SELECT COMMITTEES**

COMPANY TAKE-OVERS (JOINT)—The Honorable B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorable's V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorable's the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

PRINTING—The Honorable's the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

STANDING ORDERS—The Honorable's the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorable's D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorable's D. N. Saltmarsh and D. G. Williams.

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# MINUTES OF THE PROCEEDINGS

No. 1—Tuesday, 29 May 1979

- 1 The Council met pursuant to the Proclamation of His Excellency the Governor, bearing date 16 May 1979, which Proclamation was read by the Clerk and is as follows:

FIXING THE TIME FOR HOLDING THE FIRST SESSION OF THE  
FORTY-EIGHTH PARLIAMENT OF VICTORIA

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

I, the Governor of the State of Victoria in the Commonwealth of Australia, do by this my Proclamation fix Tuesday, the 29th day of May, 1979 as the time for the commencement and holding of the First Session of the Forty-Eighth Parliament of Victoria, for the despatch of business, at the hour of Eleven o'clock in the forenoon, in the Parliament Houses, situated in Spring Street, in the City of Melbourne: And the Honorable the Members of the Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my hand and the seal of the State of Victoria aforesaid, at Melbourne, this sixteenth day of May, in the year of our Lord One thousand nine hundred and seventy-nine, and in the twenty-eighth year of the reign of Her Majesty Queen Elizabeth II.

(L.S.)

HENRY WINNEKE

By His Excellency's Command,

R. J. HAMER,  
Premier

GOD SAVE THE QUEEN!

The Honorable the Chief Justice, the Commissioner from His Excellency the Governor appointed to open the Parliament, having been introduced to the Council Chamber by the Usher of the Black Rod, His Honor desired the Usher of the Black Rod to request the presence of the Members of the Legislative Assembly to hear the Commission read for the commencement and holding of this present Session of the Parliament.

The Members of the Legislative Assembly having presented themselves, the Honorable the Chief Justice said—

MR PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MEMBERS OF THE LEGISLATIVE ASSEMBLY:

His Excellency the Governor, not thinking fit to be present in person, has been pleased to cause Letters Patent to issue under the Seal of the State constituting me his Commissioner to do in his name all that is necessary to be performed in this Parliament. This will more fully appear from the Letters Patent which will now be read by the Clerk.



Then the said Letters Patent were read as follows:

*ELIZABETH THE SECOND, by the Grace of God, Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:*

WHEREAS by Proclamation issued the sixteenth day of May, One thousand nine hundred and seventy-nine, by His Excellency The Honorable SIR HENRY ARTHUR WINNEKE, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Royal Victorian Order, Officer of Our Most Excellent Order of the British Empire, Knight of Our Most Venerable Order of Saint John of Jerusalem, One of Our Counsel, Learned in the Law, Governor of Our State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c., Tuesday, the twenty-ninth day of May, One thousand nine hundred and seventy-nine, was fixed as the time for the commencement and holding of the next Session of Our Parliament of Victoria, at the hour of Eleven o'clock in the forenoon, in the Parliament Houses, situate in Spring-street, in the City of Melbourne: AND forasmuch as for certain causes the said SIR HENRY ARTHUR WINNEKE cannot conveniently be present in person in Our said Parliament at that time: NOW KNOW YE THAT WE, trusting in the discretion, fidelity, and care of Our trusty and well-beloved the Honorable SIR JOHN MCINTOSH YOUNG, Chief Justice of Our Supreme Court of the State of Victoria, do give and grant by the tenor of these presents unto you the said JOHN MCINTOSH YOUNG, full power in Our name to begin and hold the said Session of Our said Parliament, and to do everything which for and by Us, or the said SIR HENRY ARTHUR WINNEKE shall be there to be done; commanding also by the tenor of these presents all whom it may concern to meet Our said Parliament, and the said JOHN MCINTOSH YOUNG, that he diligently attends in the premises and form aforesaid. In testimony whereof We have caused the seal of Our said State to be hereunto affixed.

WITNESS Our trusty and well-beloved The Honorable SIR HENRY ARTHUR WINNEKE, Knight Commander of Our Most Distinguished Order of Saint Michael and Saint George, Knight Commander of Our Royal Victorian Order, Officer of Our Most Excellent Order of the British Empire, Knight of Our Most Venerable Order of Saint John of Jerusalem, One of Our Counsel, Learned in the Law, Governor of Our State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c., at Melbourne in Our said State this twenty-second day of May, One thousand nine hundred and seventy-nine, and in the twenty-eighth year of Our reign.

(L.S.)

HENRY WINNEKE

By His Excellency's Command,

R. J. HAMER,  
Premier

Entered on record by me in the Register of Patents, Book No. 36, page 311, this twenty-second day of May, One thousand nine hundred and seventy-nine.

R. L. KING,  
Under-Secretary

Then the Honorable the Chief Justice said—

MR PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL:  
MEMBERS OF THE LEGISLATIVE ASSEMBLY:

I have it in command from His Excellency to let you know that later this day His Excellency will declare to you in person in this place the causes of his calling this Parliament together; and, Members of the Legislative

Assembly, as it is necessary before you proceed to the despatch of business that a Speaker of the Legislative Assembly be chosen, His Excellency requests that you, in your Chamber, will proceed to the choice of a proper person to be Speaker.

The Members of the Legislative Assembly then withdrew.

The Honorable the Chief Justice withdrew.

2 The President took the Chair and read the Prayer.

*[Sitting suspended from 11.14 a.m. until 2.31 p.m.]*

3 APPROACH OF HIS EXCELLENCY THE GOVERNOR—The approach of His Excellency the Governor was announced by the Usher of the Black Rod.

A fanfare was sounded.

His Excellency came into the Council Chamber, and the Usher of the Black Rod was commanded to desire the immediate attendance of the Legislative Assembly, who being come with their Speaker, His Excellency was pleased to speak as follows :

MR PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

I have called you together as early as possible after the return of Writs for the recent conjoint elections to meet for the First Session of the Forty-eighth Parliament of Victoria, and to consider matters of importance to the people of Victoria.

The Government is grateful to have had its policies endorsed by the voters of this State. It pledges itself to a vigorous legislative program, to a continuing increase in the efficiency, economy and effectiveness of government over the next three years and to the provision of increased employment opportunities.

In recent years, one of the greatest problems besetting all governments in this country has been the growth of unemployment. Now, largely as a result of a much lower rate of inflation, which can be attributed to responsible and realistic government financial policies, there are clear signs of a recovery in the economy. There are good reasons for expecting that this recovery will be sustained, leading to an encouraging increase in employment in the months ahead.

This revival of confidence is demonstrated by announcements in recent weeks of new major industrial projects for Victoria totalling nearly \$3,000 million, of which some two-thirds will be located in country areas. These projects include aluminium smelters, petrochemical plants and motor-car manufacturing installations, and will be accompanied by large-scale infrastructure development, notably the Loy Yang Power Station to cost \$2,000 million, Newport Power Station, and new gas turbines in the Latrobe Valley.

The Government, which has taken positive steps to stimulate employment in both rural and urban areas of the State, will continue to use every resource available to it in the maintenance of a suitable economic climate for free enterprise to grow and develop, and provide new job opportunities.

Government support, however, is not enough. What is needed is a co-operative approach by all sections of industry and the trade unions to ensure that costs are kept to a minimum. Australian industry needs to expand its exports if it is to grow and expand. In many respects, we are now competitive again in world markets. It is imperative that we do not again price ourselves out of them.

The Government proposes to continue its successful program of decentralization which, in recent years, has resulted in larger annual growth rates for many country centres than for Melbourne. It will support the development of country industries by all the means in its power, and will continue to give a lead by decentralizing government administration. New public offices are under construction in Ballarat and new offices will be built in Bendigo, followed by Benalla and Bairnsdale.

Quality of life in all its aspects has been the aim of recent governments of this State. It will continue to be a prime aim of the new Government that all Victorians should share in wider opportunity for self-expression and personal development.

Before alluding to further aspects of the Government's plans and legislative program over the ensuing months, I must regretfully inform you of the recent deaths of the following former Members of this Parliament.

We mourn the deaths of six former Ministers of the Crown :

The Right Honorable Sir Robert Menzies, a former Deputy Premier;  
The Honorable Sir Norman Martin; The Honorable K. H. Turnbull;  
The Honorable Sir Chester Manifold; The Honorable A. J. Hipworth;  
and The Honorable R. J. Gray.

We also mourn the passing of :

Mr D. Lovegrove, Mr W. T. Divers, Mr J. M. Mullens, and Mr R. Schilling, former Members of the Legislative Assembly.

The Government plans to implement immediately many of the undertakings it gave in the recent election campaign.

One of the Government's major initiatives will be in the area of government administration and accountability. A Budget Committee of Cabinet has already been formed, and legislation is being prepared for the establishment of an all-Party Expenditure Review Committee, which will examine budget allocations to departments and ensure the strictest economy and the most effective administration of the financial resources of the State.

In addition, efficiency groups will be established to monitor performance in departments and to assist in the control of expenditure and the best use of staff and facilities.

The Government also proposes to introduce "Sunset" legislation under which every government agency, board or committee will have a fixed term, and will have to justify afresh to Parliament any extension of its life, and its current level of expenditure. The purpose is to restore to Parliament a more effective supervision and tighter controls over the operation of government organisations.

Through these and other measures which have still to be developed, the Government will ensure that its administration gives the highest possible level of community service consistent with economy and efficiency.

One of the first Bills to be presented in this Session of Parliament will establish a new Ministry of Police and Emergency Services, which will enable a Minister to give exclusive attention to the administration of the Police Force, fire fighting organisations and the State Emergency Service. These organisations must work closely with each other, and the Government believes it is important for the responsible Minister to be free of the other administrative responsibilities previously associated with the portfolio of Chief Secretary. These responsibilities will be re-allocated to other Ministers.

Members will recall that in the final Session of the Forty-seventh Parliament, the Government introduced legislation on various important matters expressly

for public discussion so that Members of the Parliament, interested organisations and individuals would have time to consider and comment on these Bills.

Following the re-endorsement of the Government by the people of Victoria, it is proposed to proceed with this legislation.

One of these Bills dealt with residential tenancies and was drafted with the aim of ensuring that fair and effective laws applied to both landlords and tenants. It is obvious from the wide range of comments that the draft Bill will need some revision, and this will be done. But the aim of modernising and reforming the law on this subject has been widely acclaimed.

Another of these Bills was concerned with the implementation of the major findings of the Gobbo Report on public works and planning compensation. Many comments about the draft Bill have been received and a new Bill will now be prepared for submission to Parliament.

Other Bills on Real Estate Agents and on various credit transactions will also now be carefully reviewed in the light of comments made upon them.

The Government will reintroduce legislation to amend the *Albury-Wodonga Agreement Act 1973* which will allow greater liaison and consultation between the Albury-Wodonga Development Corporation and the general community. Amongst other things, this will allow for greater participation by local councils in decisions affecting the growth area.

Concern over industrial accidents and their high cost in human suffering, as well as the financial burden the whole community bears, has persuaded the Government to go ahead with legislation to modify and bring together aspects of the law relating to the building and construction industry contained in the *Labour and Industry Act 1958* and the *Scaffolding Act 1971*.

The Government will expand its efforts to stimulate employment by strengthening the resources of the Victorian Employment Committee and by establishing a Job Forecast Bureau to assist it.

In the field of education, the Government will continue to increase its services, with special emphasis on migrant language teaching, improved standards in the basic elements of reading, writing and mathematics, and further decentralization of administration.

Additional funds will be provided for joint use of school facilities, library services, staff and office accommodation in older schools and school building maintenance. Direct grants to school councils and independent schools will be increased.

In health, more community health centres will be provided, a separate Division of Mental Retardation will be established within the Health Commission, and the hospital building program will be maintained at the highest possible level. Preventative health programs will be stepped up, and special attention will be given to the development and co-ordination of domiciliary care services, with the object of enabling the elderly and the infirm to be as long as possible in their own homes.

The Government is determined to provide a better framework for the resolution and reduction of industrial disputes in Victoria. A State Industrial Commission will be established and provision will be made for unions under State awards to have secret ballots at union meetings on strike issues. The Workers Compensation Act will be completely revised.

Police services will be further strengthened with an increase in the police establishment, the provision of a modern twin-engined helicopter for a wide range of tasks, additional communications equipment and the completion of new training facilities at Glen Waverley.

In the field of energy, the Government will continue its efforts to conserve energy through the use of smaller cars, increased insulation of buildings and similar means whilst sponsoring and encouraging research into the development of alternative energy sources such as solar power, and alternative transport fuels.

The implementation of measures set out in the recent White Paper on community welfare services will continue, with the maximum possible involvement of local communities and organisations.

Government activities in the area of youth, sport and recreation, already foremost in Australia, will be further expanded, with special emphasis on the State Indoor Sports Centre at Olympic Park, the Frank Beaurepaire Olympic Swimming Pool, the State Equestrian Centre at Werribee Park and sports centres and swimming pools in country towns.

The main emphasis in the work of the new Housing Commission will be on the renovation and improvement of existing estates and the progressive transfer of families with young children from high rise apartments to single level houses. Priority will continue to be given to new building in country centres.

The Government proposes to overhaul the role and machinery of local government, after considering the report of the current Board of Inquiry. It will also implement the major recommendations of the Building and Development Approvals Committee on building and development applications and on planning procedures designed to cut down the time taken to deal with applications.

Transport will continue to attract a major share of the Government's financial resources, with the aim of increasing the use of public transport systems, lessening traffic congestion, encouraging the use of pollution-free electrically powered transport modes and reducing the use of increasingly scarce and costly motor fuels.

The Government is giving special attention to the important and complex problems of salinity in Northern Victoria and the improvement of water quality in the Murray River. It will allocate \$15 million over the next few years for assistance to irrigators and for research and advisory services.

Financial aid will also be provided for farmers to implement tree-planting projects in dryland areas affected by salting. These projects, developed in close collaboration with the Forests Commission, will assist in halting the spread of salinity.

The Government will develop a new Young Farmer Establishment Scheme which will enable qualified young farmers to acquire their own farms with Government assistance.

Other new legislation will be concerned with:

- The progressive introduction of a reduced number of wards for the Melbourne City Council.
- The safety of large water storages.
- The sale of beef cattle from sewerage farms.
- A statutory body to control the new Victorian Arts Centre.
- Substantial amendments to the Town and Country Planning Act.
- Further strengthening of the Local Government Act.

Other matters to be considered by the Government include:

- The protection of Human Rights.

- The expression of community views through referenda, where sufficient support is demonstrated.
- Improved handling of Petitions presented to Parliament.

I now turn to the important matter of ensuring supply.

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

To enable the service of Government to continue from the 1 July next, further supply will be necessary. A Bill will be presented to you for this purpose thus ensuring supply for five months of the financial year 1979-80.

MR PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

The Government plans to set Victoria on a course for the next three years which it believes will enhance the living standards and welfare of people across the whole broad spectrum of Victorian society.

I now formally open this Parliament and pray that the guidance of Almighty God may attend upon your deliberations.

HENRY WINNEKE  
Governor of Victoria

29 May 1979

Thereupon a copy of His Excellency the Governor's Speech was delivered to the President, and a copy to the Speaker, and His Excellency withdrew from the Council Chamber.

The Legislative Assembly then withdrew.

[Sitting suspended from 2.57 p.m. until 4.48 p.m.]

4 RESIGNATION OF MEMBER—The President announced that he had received the following communications:

Wednesday, 2 May 1979

Dear Mr President,

I enclose a copy of a letter of resignation from his seat in the Legislative Council of Victoria for Monash Province, addressed to and received by me today, from the Honorable Charles Allen Moir Hider, together with a copy of my acknowledgement to him.

By virtue of Section 30 of the *Constitution Act* 1975, Mr Hider's seat in the Legislative Council became vacant on the 2nd May 1979, being the day upon which his letter of resignation addressed to me was received by me.

Yours sincerely

HENRY WINNEKE  
Governor

\* \* \*

Wednesday, 2 May 1979

Your Excellency,

I hereby tender my resignation as the Legislative Council Member for the Province of Monash.

As you may be aware I am seeking election on the 5th May for the Assembly seat of Glenhuntly and the Constitution Act requires me to resign from the Council prior to being elected as a Member for the Assembly.

I have been honoured to be a member of the Council for the last 9 years and have personally gained much from such membership. I hope I will have the opportunity to serve Victoria in the Assembly.

Yours sincerely

CHARLES HIDER  
Member for Monash Province

\* \* \*

Wednesday, 2 May 1979

Dear Mr Hider,

This is to acknowledge that I have this day received your letter of the 2nd May 1979, addressed to me, resigning your seat in the Legislative Council of Victoria for the Monash Province.

By virtue of Section 30 of the *Constitution Act* 1975 your seat became vacant upon the receipt by me of your letter of resignation.

May I offer you my thanks for your distinguished service to the people of Victoria in the Legislative Council. With kindest regards.

Yours sincerely

HENRY WINNEKE  
Governor

- 5 PRIVILEGE BILL—FORESTS (RESERVED LAND) BILL—On the motion of the Honorable A. J. Hunt, leave was given to bring in a Bill to amend the *Forests Act* 1958, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 COMPANY TAKE-OVERS COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid be members of the Company Take-overs Committee.  
Question—put and resolved in the affirmative.
- 7 CONSERVATION OF ENERGY RESOURCES COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling be members of the Conservation of Energy Resources Committee.  
Question—put and resolved in the affirmative.
- 8 HOUSE COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling be members of the House Committee.  
Question—put and resolved in the affirmative.
- 9 PRINTING COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright be members of the Printing Committee; three to be the quorum.  
Question—put and resolved in the affirmative.
- 10 STANDING ORDERS COMMITTEE—The Honorable A. J. Hunt, moved, by leave, That the Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou be members of the Select Committee on the Standing Orders of the House; three to be the quorum.  
Question—put and resolved in the affirmative.

- 11 STATUTE LAW REVISION COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White be members of the Statute Law Revision Committee, and that the said Committee have power to send for persons, papers and records.  
Question—put and resolved in the affirmative.
- 12 SUBORDINATE LEGISLATION COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables D. N. Saltmarsh and D. G. Williams be members of the Subordinate Legislation Committee, and that the said Committee have power to send for persons, papers and records.  
Question—put and resolved in the affirmative.
- 13 PUBLIC WORKS COMMITTEE—The Honorable A. J. Hunt, moved, by leave, That the Honorables W. R. Baxter, R. J. Eddy and R. J. Long be members of the Public Works Committee.  
Question—put and resolved in the affirmative.
- 14 STATE DEVELOPMENT COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables R. I. Knowles, D. G. Williams and K. I. Wright be members of the State Development Committee.  
Question—put and resolved in the affirmative.
- 15 NOTICE OF QUESTION—SUSPENSION OF STANDING ORDER No. 77—The Honorable A. J. Hunt moved, by leave, That so much of Standing Order No. 77 as requires a Member giving notice of a question to read it aloud to the House be suspended for the remainder of this Session.  
Question—put and resolved in the affirmative.
- 16 CITY OF MELBOURNE (RE-SUBDIVISION) BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to make further Provision with respect to the Re-subdivision of the municipal District of the City of Melbourne, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 17 TEMPORARY CHAIRMEN OF COMMITTEES—The President laid upon the Table the following Warrant nominating the Temporary Chairmen of Committees:

LEGISLATIVE COUNCIL

VICTORIA

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate—

The Honorable Peter David Block,  
The Honorable Bruce Anthony Chamberlain,  
The Honorable Douglas George Elliot,  
The Honorable David Mylor Evans,  
The Honorable Vernon Thomas Hauser,  
The Honorable Richard John Long, and  
The Honorable Ivan Barry Trayling—

to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this twenty-ninth day of May, One thousand nine hundred and seventy-nine.

W. G. FRY,  
President of the Legislative Council



## 18 PAPERS

AUSTRALIAN CONSTITUTIONAL CONVENTION—The Honorable A. J. Hunt moved, by leave, That there be laid before this House a copy of the Resolutions adopted at the Australian Constitutional Convention, Parliament House, Perth, 26 to 28 July 1978.

Question—put and resolved in the affirmative.

The said paper was thereupon presented by the Honorable A. J. Hunt and ordered to lie on the Table.

INTER-GOVERNMENT RELATIONS—The Honorable Haddon Storey moved, by leave, That there be laid before this House the Report of the Advisory Council for Inter-Government Relations for the year ended 31 August 1978.

Question—put and resolved in the affirmative.

The said paper was thereupon presented by the Honorable Haddon Storey and ordered to lie on the Table.

MEAT INDUSTRY COMMITTEE—SALEYARDS—The Honorable S. E. Gleeson moved, by leave, That there be laid before this House the documents now in the custody of the Clerk relating to further investigations made by the Meat Industry Committee appointed in Session 1976–78 into Operations of Saleyards.

Question—put and resolved in the affirmative.

The said documents were thereupon presented by the Clerk and ordered to lie on the Table, and the Report and Appendix to be printed.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Albury–Wodonga (Victoria) Corporation—Report and accounts for the year 1976–77.

Dandenong Valley Authority—Report and statement of accounts for the year ended 30 September 1978.

Education—Report of the Council of Public Education for the year 1976–77.  
Education Act 1958—Resumption of land at Caulfield—Certificate of the Minister of Education.

Geelong Harbor Trust Commissioners—Statement of accounts for the year 1978.

Geelong Waterworks and Sewerage Trust—Accounts and Statements for the year 1977–78.

Grain Elevators Board—Report for the year ended 31 October 1977.

Groundwater—Report on the investigation programme for the year 1976.

Immigration and Ethnic Affairs—Report of the Director for the year 1977–78.

Melbourne and Metropolitan Board of Works—Statement of accounts, together with particulars of rates made, for the year 1977–78.

Melbourne University—Report of the Council, together with Statutes and Regulations allowed by His Excellency the Governor, for the year 1977 (eleven papers).

Members of Parliament (Register of Interests) Act 1978—Summary of Returns, February 1979.

Mental Health Authority—Report for the year 1977.

National Gallery—Report of the Council of Trustees, together with Statement of income and expenditure, for the year 1976–77.

Parole Board—Report of the Youth Parole Board for the year 1977–78.

Police Service Board—Determinations Nos. 304 and 305 (two papers).

Portland Harbor Trust—Balance sheets and statements of accounts for the year 1977–78.

Railways Board—Report for the quarter ended 31 December 1978.

State College of Victoria—Report of the Senate for the year 1977, together with statements of accounts of constituent colleges (three papers).

Statutory Rules under the following Acts of Parliament:

Administration and Probate Act 1958—No. 441/1978; No. 79/1979.

Agricultural Colleges Act 1958—No. 3/1979.

Appeal Costs Fund Act 1964—No. 141/1979.

Boilers and Pressure Vessels Act 1970—Nos. 91 and 108/1979.

Building Industry Long Service Leave Act 1975—No. 414/1978; No. 101/1979.

Cemeteries Act 1958—No. 38/1979.

Chiropodists Act 1968—No. 93/1979.

Chiropractors and Osteopaths Act 1978—No. 401/1978; No. 120/1979.

Commercial Goods Vehicles Act 1958—No. 145/1979.

Community Welfare Services Act 1970—No. 60/1979.

Companies Act 1961—No. 142/1979.

Consumer Affairs Act 1972—No. 428/1978; No. 92/1979.

Co-operative Housing Societies Act 1958—No. 138/1979.

Country Fire Authority Act 1958—No. 397/1978; Nos. 5, 40 and 41/1979.

Dental Technicians Act 1972—No. 119/1979.

Dentists Act 1972—No. 118/1979.

Discharged Servicemen's Preference Act 1943—No. 24/1979.

Dog Act 1970—No. 34/1979.

Dried Fruits Act 1958—No. 113/1979.

Education Act 1958—No. 429/1978; No. 39/1979.

Egg Industry Stabilization Act 1973—No. 72/1979.

Environment Protection Act 1970—No. 410/1978; Nos. 61, 62, 103 and 104/1979.

Extractive Industries Act 1966—No. 45/1979.

Farm Produce Merchants and Commission Agents Act 1965—No. 112/1979.

Fisheries Act 1968—No. 415/1978; Nos. 26, 27, 73 and 143/1979.

Forests Act 1958—No. 437/1978; Nos. 71 and 124/1979.

Fruit and Vegetables Act 1958—No. 51/1979.

Gas Act 1969—No. 23/1979.

Gas and Fuel Corporation Act 1958—No. 121/1979.

Grain Elevators Act 1958—No. 427/1978; No. 132/1979.

Hairdressers Registration Act 1958—No. 416/1978.

Health Act 1958—Nos. 411, 425, 438 and 439/1978; Nos. 66, 67, 94, 95 and 122/1979.

Home Finance Act 1962—No. 137/1979.

Hospitals Superannuation Act 1965—No. 96/1979.

Industrial Training Act 1975—Nos. 430 and 431/1978; Nos. 82 to 85, 102 and 127 to 129/1979.

Labour and Industry Act 1958—No. 435/1978; No. 100/1979.

Law Reform Act 1973—No. 140/1979.

Legal Profession Practice Act 1958—No. 125/1979.

Liquor Control Act 1968—Nos. 8 and 75/1979.

Lotteries Gaming and Betting Act 1966—No. 107/1979.

Marine Act 1958—Nos. 413, 421 and 422/1978; Nos. 35, 48, 77 and 126/1979.

Marketing of Primary Products Act 1958—No. 400/1978; No. 58/1979.

Medical Practitioners Act 1970—No. 139/1979.

Statutory Rules under the following Acts of Parliament (*continued*):

- Melbourne and Metropolitan Board of Works Act 1958—Nos. 44 and 59/1979.
- Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977—No. 88/1979.
- Members of Parliament (Register of Interests) Act 1978—No. 21/1979.
- Mental Health Act 1959—No. 19/1979.
- Metropolitan Fire Brigades Act 1958—Nos. 42 and 43/1979.
- Metropolitan Fire Brigades Superannuation Act 1976—Nos. 4, 9 and 89/1979.
- Milk and Dairy Supervision Act 1958—Nos. 55, 65 and 114/1979.
- Milk Pasteurization Act 1958—No. 115/1979.
- Mines Act 1958—Nos. 433 and 434/1978.
- Ministry for the Arts Act 1972—No. 133/1979.
- Motor Car Act 1958—No. 418/1978; Nos. 11, 12, 37, 90 and 144/1979.
- Motor Car Traders Act 1973—No. 106/1979.
- National Parks Act 1975—No. 403/1978.
- Nurses Act 1958—No. 426/1978; No. 63/1979.
- Optometrists Registration Act 1958—Nos. 406 and 408/1978; No. 81/1979.
- Payroll Tax Act 1971—No. 420/1978.
- Pesticides Act 1958—No. 74/1979.
- Petroleum Act 1958—No. 130/1979.
- Pharmacists Act 1974—No. 97/1979.
- Physiotherapists Act 1978—No. 395/1978; No. 98/1979.
- Poisons Act 1962—No. 412/1978; No. 105/1979.
- Police Offences Act 1958—No. 28/1979.
- Police Regulation Act 1958—Nos. 405 and 436/1978; Nos. 46, 47, 53 and 76/1979.
- Port of Melbourne Authority Act 1958—Nos. 14 to 18, 29, 69, 109 and 110/1979.
- Post-Secondary Education Act 1978—No. 404/1978; No. 22/1979.
- Professional Boxing Control Act 1975—No. 30/1979.
- Psychological Practices Act 1965—No. 407/1978.
- Public Records Act 1973—No. 131/1979.
- Public Service Act 1974—Nos. 6, 7, 10, 68 and 117/1979; PSD Nos. 98, 99, 115, 118 to 124, and 126 to 142/1978; PSD Nos. 1 to 5, and 7 to 27/1979.
- Racing Act 1958—No. 423/1978; Nos. 2, 20 and 146 to 150/1979.
- Railways Act 1958—No. 399/1978.
- Registration of Births Deaths and Marriages Act 1959—No. 64/1979.
- Road Traffic Act 1958—Nos. 396 and 398/1978; No. 123/1979.
- Rural Finance and Settlement Commission Act 1961—No. 1/1979.
- Scaffolding Act 1971—Nos. 70 and 99/1979.
- Second-hand Dealers Act 1958—No. 54/1979.
- Seeds Act 1971—No. 409/1978.
- Stamps Act 1958—No. 419/1978; No. 56/1979.
- State Electricity Commission Act 1958—No. 432/1978; No. 135/1979.
- Stock (Artificial Breeding) Act 1962—No. 36/1979.
- Stock Medicines Act 1958—No. 116/1979.
- Strata Titles Act 1967—Nos. 25 and 49/1979.
- Supreme Court Act 1958—Nos. 442 to 444/1978; No. 80/1979.
- Supreme Court Act 1958—Companies Act 1961—No. 78/1979.
- Survey Co-ordination Act 1958—No. 111/1979.
- Teaching Service Act 1958—No. 57/1979.
- The Constitution Act Amendment Act 1958—No. 32/1979.
- Town and Country Planning Act 1961—No. 13/1979.

Statutory Rules under the following Acts of Parliament (*continued*):

Valuation of Land Act 1960—Nos. 86 and 87/1979.

Victorian Film Corporation Act 1976—No. 134/1979.

Water Act 1958—No. 402/1978; Nos. 50 and 52/1979.

Wildlife Act 1975—No. 440/1978; No. 31/1979.

Workers Compensation Act 1958—No. 417/1978.

Youth, Sport and Recreation Act 1972—No. 424/1978; No. 136/1979.

Teaching Service Act 1958—

Teaching Service (Classification, Salaries and Allowances) Regulations—  
Amendments Nos. 466 to 472, 475 and 476.

Teaching Service (Teachers Tribunal) Regulations—Amendments Nos. 473  
and 474.

Town and Country Planning Act 1961—

Alberton—Shire of Alberton (Coastal) Planning Scheme—Amendment  
No. 12, 1977.

Alexandra—Shire of Alexandra Planning Scheme—Amendments No. 5,  
with maps (nine papers) and No. 7.

Ararat—City of Ararat Planning Scheme 1953—Amendment No. 24.

Bacchus Marsh Planning Scheme—Amendment No. 13.

Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 18.

Ballaarat and District Planning Scheme 1966—Amendments No. D; No. 9,  
1977 (Borough of Sebastopol); Nos. 40, 1977, and 48 (City of Ballaarat);  
and No. 8, 1978 (Shire of Bungaree).

Benalla—City of Benalla Planning Scheme—Amendment No. 21.

Bulla—Shire of Bulla Planning Scheme 1959—Amendment No. 69, 1978.

Camberwell—City of Camberwell Planning Scheme 1954, Amendments Nos.  
43, 45 and 46A, 1978.

Cranbourne:

Cranbourne Planning Scheme 1960—Amendment No. 29.

Shire of Cranbourne (Western Port) Planning Scheme, with maps  
(twenty-nine papers).

Croydon—City of Croydon Planning Scheme 1961—Amendments No. 73,  
75, 78 and 87.

Eildon Reservoir Planning Scheme—Amendment No. 25 (Shire of  
Mansfield).

Eppalock Planning Scheme—Amendments No. 1 (Shire of Metcalfe), and  
No. 7 (Shire of McIvor).

Flinders—Shire of Flinders Planning Scheme 1962—Amendments Nos. 112,  
113, 115, 116 and 117, 1978.

Frankston—City of Frankston Planning Scheme—Amendments Nos. 14  
and 15, 1977, and No. 17, 1978.

Hazelwood Joint Planning Scheme—Amendment No. 8, 1978.

Horsham—City of Horsham Planning Scheme 1973—Amendments Nos. 37,  
38 and 40, 1978, and No. 49.

Kilmore—Shire of Kilmore Planning Scheme—Amendment No. 33, 1978.

Knox—City of Knox Planning Scheme 1965—Amendments No. 184, 1977;  
and Nos. 192, 194, 195, 196 and 197, 1978.

Kyabram—Town of Kyabram Planning Scheme 1963—Amendment No.  
19, 1978.

Latrobe Valley Sub-Regional Planning Scheme—Amendment No. 38A.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments No. 42,  
1973; Nos. 64, 68 and 72, 1976; Nos. 77, 87, 91 and 92, 1977; and No.  
112, 1978.

Maffra:

Shire of Maffra Planning Scheme (Heyfield Township)—Amendment  
No. 9, 1978.

Shire of Maffra Planning Scheme (Maffra Township)—Amendment No.  
17, 1978.

Town and Country Planning Act 1961 (*continued*):

- Melbourne Metropolitan Planning Scheme—Amendments No. 3, Part 1A, with maps (twenty-nine papers); No. 21, Part 8B, with maps (fourteen papers); No. 57, Part 5, with maps (four papers); No. 64, Part 1A, with map (two papers); No. 68, Part 2B; No. 69, Part 1, with maps (five papers); No. 70, Part 4c, with map (two papers); No. 72, Part 2B, with map (two papers); No. 77, Part 3; No. 77, Part 4, with map (two papers); No. 81, Part 3, with maps (six papers); No. 82, Part 2, with maps (four papers); No. 83, Part 2, with maps (eight papers); No. 87, Part 1, with maps, (twenty-three papers); No. 92, Part 1, with maps (six papers); No. 101, with maps (four papers); No. 109; No. 117, with map (two papers); No. 118, with map (two papers); No. 119, with map (two papers); No. 121, with map (two papers); No. 122.
- Mildura—City of Mildura Planning Scheme, Amendment No. 23, 1977.
- Moe—City of Moe Planning Scheme, Amendment No. 51, 1978.
- Mornington—Shire of Mornington Planning Scheme 1959—Amendments No. 116, 1977 and No. 121, 1978.
- Morwell Planning Scheme 1954—Amendment No. 54, 1978.
- Newham and Woodend—Shire of Newham and Woodend Planning Scheme with maps (five papers).
- Phillip Island Planning Scheme—Amendment No. 8.
- Portland Planning Scheme (Town of Portland)—Amendment No. 19, 1978.
- Rosedale:  
 Shire of Rosedale Planning Scheme—Amendments Nos. 8 and 10.  
 Shire of Rosedale Planning Scheme, Part 2, with maps (six papers) and Amendment No. 1.
- Sale—City of Sale Planning Scheme 1975—Amendments No. 3, 1978, and No. 5A.
- Seymour Planning Scheme—Amendment No. 41.
- Sherbrooke—Shire of Sherbrooke Planning Scheme 1965—Amendments No. 102, 1976, with maps (five papers); Nos. 110, 111, 113, 114 and 116, 1978; Nos. 117A and 118; and No. 124, 1978.
- South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 37, 1978.
- Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 16, Parts 1 and 2.
- Warragul Planning Scheme 1954—Amendments No. 15, 1970, and No. 32, 1977.
- Werribee—Shire of Werribee Planning Scheme 1963—Amendments No. 44, 1977; Nos. 54, 56 and 58, 1978; and No. 59.
- Woorayl—Shire of Woorayl Planning Scheme—Amendments Nos. 34 and 35, 1978.
- Victoria Law Foundation—Report for the year ended 30 September 1978.
- Victorian Film Corporation—Report for the year 1977–78.
- Victorian Institute of Secondary Education—Report and accounts for the year 1977.
- Victorian Public Offices Corporation—Report for the year 1977–78.
- Victorian Public Offices Corporation Act 1974—Report of exercise of powers by the Corporation pursuant to sub-section (2) of section 9.
- 19 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS AT PERTH, JULY 1978—  
 The Honorable W. A. Landeryou moved, That the Resolutions be taken into consideration on the next day of meeting.  
 Question—put and resolved in the affirmative.
- 20 SPEECH OF HIS EXCELLENCY THE GOVERNOR—The President reported the Speech of His Excellency the Governor on the Opening of Parliament.

The Honorable J. V. C. Guest moved, That the Council agree to the following Address to His Excellency the Governor in reply to His Excellency's Opening Speech:

"MAY IT PLEASE YOUR EXCELLENCY—

We, the Legislative Council of Victoria, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the gracious Speech which you have been pleased to address to Parliament."

—which motion was seconded by the Honorable N. B. Reid.

The Honorable B. A. Chamberlain moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 21 CITY OF MELBOURNE (RE-SUBDIVISION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 22 FORESTS (RESERVED LAND) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable D. G. Williams moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 23 ADJOURNMENT—The Honorable Haddon Storey moved, That the Council, at its rising, adjourn until tomorrow at Four o'clock.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-two minutes past Six o'clock, adjourned until tomorrow at Four o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 2—Wednesday, 30 May 1979

- 1 The President took the Chair and read the Prayer.
- 2 VICTORIAN INSTITUTE OF MARINE SCIENCES COUNCIL, VICTORIA INSTITUTE OF COLLEGES COUNCIL, COUNCIL OF ADULT EDUCATION, MONASH UNIVERSITY COUNCIL, AND VICTORIAN INSTITUTE OF SECONDARY EDUCATION COUNCIL—The President announced the receipt of the following communications:

(i) from the Honorable the Minister for Conservation—

9 April 1979

Dear Mr President,

Section 7 (1) of the *Victorian Institute of Marine Sciences Act 1974* provides, among other things, that three members of the Council of the

Institute shall be members of the Parliament of Victoria, who have been recommended for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly conducted in accordance with the rules adopted for the purpose by the members at the sitting.

The present members so appointed by His Excellency the Governor in Council are Messrs A. V. Smith, M.P., G. F. Stirling, M.P. and B. J. Evans, M.P.

The terms of appointment of these members are due to expire on 15th June, 1979.

In the circumstances, I would be grateful if arrangements could be made as soon as appropriate for a joint sitting of both Houses of Parliament for the purpose of recommending three members for appointment to the Council of the Victorian Institute of Marine Sciences to fill the consequent vacancies.

I might add that I have also written to the Speaker of the Legislative Assembly in similar vein.

Yours sincerely  
W. A. BORTHWICK  
*Minister for Conservation*

\* \* \*

(ii) from the Honorable the Minister of Education—

1 May 1979

Dear Mr Fry,

Section 7 of the *Victoria Institute of Colleges Act 1965*, provides that three members of the Council shall be Members of the Parliament of Victoria who have been recommended for appointment by a Joint Sitting of the Members of the Legislative Council and the Legislative Assembly conducted in accordance with the rules adopted for the purpose by the Members present at the sitting.

The terms of the current members of the Council appointed pursuant to the above provisions—

Hon. William Montgomery Campbell, M.L.C.,  
Thomas William Roper, Esq. M.P.,  
Thomas Campion Trewin, Esq. M.P.,

expire on the 7th June, 1979 and I should be grateful if you would arrange for a Joint Sitting of the Members of the Legislative Council and the Legislative Assembly to recommend members to replace them for the three year term commencing on the 8th June, 1979.

I have addressed a similar letter to The Honorable Sir Kenneth Wheeler, M.P.—Speaker of the Legislative Assembly.

Yours sincerely  
L. H. S. THOMPSON  
*Minister of Education*

\* \* \*

23 May 1979

Dear Mr President,

The statutes relating to the undermentioned educational institutions provide for the appointment by the Governor in Council of three Members of the Parliament to each of their governing councils—the

Members to be recommended for appointment by a joint sitting of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the members present at the sitting and I should be grateful if you could arrange for such a joint sitting to recommend Members for appointment to the following vacancies—

Council of Adult Education—(*Education Act* 1958, Section 66 (1) (c))

Member *vice* the Hon. David George Williams, M.L.C. for the term ending on 4th December, 1981.

Monash University Council—(*Monash University Act* 1958, Section 7 (a) (i))

Member *vice* Norman Alexander Billing Esquire, K.St.J. for the term ending 11th December 1979.

Victorian Institute of Secondary Education Council (*Victorian Institute of Secondary Education Act* 1976, Section 5 (1) (a))

Members *vice* the Hon. Stuart Richard McDonald, M.L.C. and the Hon. Norman Henry Lacy (who has resigned from the Council) for the term ending 10th January, 1981.

I have addressed a similar request to the Speaker of the Legislative Assembly.

University of Melbourne Council

Section 5 (1) (a) (i) of the *Melbourne University Act* 1958 provides that one member of the Council shall be a member of the Legislative Council and I should be grateful if you could arrange for the Legislative Council to recommend a Member to replace the Hon. Stanley Edmond Gleeson, M.L.C. for the term ending 16th December, 1979.

Yours truly

A. J. HUNT

*Minister of Education*

3 JOINT SITTING—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to meet the Council for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment as follows:

- (a) Three Members to the Council of the Victorian Institute of Marine Sciences;
- (b) Three Members to the Council of the Victoria Institute of Colleges;
- (c) One Member to the Council of Adult Education;
- (d) One Member to the Council of the Monash University; and
- (e) Two Members to the Council of the Victorian Institute of Secondary Education—

and proposing that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday next at Six o'clock, and desiring the concurrence of the Council.

The Honorable A. J. Hunt moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment as follows:

- (a) Three Members to the Council of the Victorian Institute of Marine Sciences;
- (b) Three Members to the Council of the Victoria Institute of Colleges;
- (c) One Member to the Council of Adult Education;



(d) One Member to the Council of the Monash University; and

(e) Two Members to the Council of the Victorian Institute of Secondary Education—

and, as proposed by the Legislative Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday next at Six o'clock.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Legislative Assembly acquainting them with the foregoing resolution.

4 MINISTERIAL STATEMENT—DISRUPTION IN TECHNICAL SCHOOLS—The Honorable A. J. Hunt made a Ministerial Statement on disruption in Technical Schools.

5 EDUCATION—DISRUPTION IN TECHNICAL SCHOOLS—The Honorable A. J. Hunt moved, by leave, That this House affirms the right of school children to an education by dedicated teachers, free from interruption, deploras recent disruptions at the expense of pupils in technical schools, and calls upon the parties to end the present dispute immediately, recognize that the interests of the children must be paramount and ensure that detriment to their lives and prospects shall be avoided.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

6 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable W. A. Landeryou moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to resist the damage to Victorian finances and economy as a result of the financial policies recently announced by the Commonwealth Government”; and six other Honorable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 7

The Hon. R. J. Eddy (*Teller*)  
D. G. Elliot (*Teller*)  
J. W. Galbally  
W. A. Landeryou  
H. A. Thomas  
D. R. White  
D. G. Williams

NOES, 22

The Hon. W. R. Baxter  
P. D. Block (*Teller*)  
W. M. Campbell  
B. A. Chamberlain  
*(Teller)*  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
S. E. Gleeson  
F. J. Granter  
J. V. C. Guest  
V. T. Hauser  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. J. Long  
S. R. McDonald

N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor

And so it passed in the negative.

- 7 **GEELONG WATERWORKS AND SEWERAGE (TRUST) BILL**—On the motion (by leave without notice) of the Honorable F. J. Granter, leave was given to bring in a Bill to make further Provision with respect to the Constitution of the Geelong Waterworks and Sewerage Trust, to amend the *Geelong Waterworks and Sewerage Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 8 **PAPERS**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Education Act 1958—Resumption of land at Officer—Certificate of the Minister of Education.
  - Historic Buildings Preservation Council—Report for the year 1977–78.
  - Ombudsman—Report for the quarter ended 31 December 1978.
  - Social Welfare Department—Report for the year 1977–78.
  - Victorian Public Offices Corporation Act 1974—Report of exercise of powers by the Corporation pursuant to sub-section (2) of section 9.
- 9 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 14 *ante*), having been read—
- Debate resumed.
- The Honorable D. G. Williams moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 10 **MELBOURNE AND METROPOLITAN BOARD OF WORKS—RESTRICTIONS ON USE OF UPVC AND CLAY PIPES**—The Honorable D. R. White moved, That there be a Select Committee of eight Members appointed to examine the recent decision made by the Melbourne and Metropolitan Board of Works to ban the use of UPVC pipes in fourteen municipalities and further to ban the use of vitrified clay pipes in eight municipalities; the Committee to have power to send for persons, papers and records; three to be the quorum.
- The Honorable F. J. Granter moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 11 **ADJOURNMENT**—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at half-past Four o'clock.
- Debate ensued.
- Question—put.
- The Council divided.

## AYES, 20

The Hon. P. D. Block  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley (*Teller*)  
 S. E. Gleeson (*Teller*)  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor

## NOES, 7

The Hon. R. J. Eddy  
 D. G. Elliot  
 W. A. Landeryou  
 I. B. Trayling (*Teller*)  
 J. M. Walton  
 D. R. White (*Teller*)  
 D. G. Williams

And so it was resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Question—put and resolved in the affirmative.

And then the Council, at fifty-three minutes past Nine o'clock, adjourned until Tuesday next at half-past Four o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at a Quarter to Five o'clock*

## LEGISLATIVE COUNCIL

### Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—  
*Resumption of debate. (Hon. D. G. Williams).*

### GOVERNMENT BUSINESS

#### Notices of Motion

- \*1 The Hon. A. J. HUNT—To move, That in each week of the present Session—
  - (a) The days and hours of meeting of the Council shall be Tuesday at half-past Four o'clock, Wednesday at Four o'clock and Thursday at Eleven o'clock;
  - (b) On Tuesday and Thursday the transaction of Government business shall take precedence of all other business, and on Wednesday Private Members' business shall take precedence of Government business; and
  - (c) No new business shall be taken after half-past Ten o'clock.
- \*2 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to provide for the Exchange of certain Lands in the Township of Bright and for other purposes.

#### Orders of the Day

- \*1 GEELONG WATERWORKS AND SEWERAGE (TRUST) BILL—(Hon. F. J. Granter)—  
Second reading.
- 2 CITY OF MELBOURNE (RE-SUBDIVISION) BILL—(Hon. D. G. Crozier)—Second  
reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 3 FORESTS (RESERVED LAND) BILL—(Hon. F. J. Granter)—Second reading—  
*Resumption of debate. (Hon. D. G. Williams).*
- \*4 EDUCATION—MOTION REGARDING DISRUPTION IN TECHNICAL SCHOOLS—(Hon.  
A. J. Hunt)—*Resumption of debate. (Hon. W. A. Landeryou).*

### GENERAL BUSINESS

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH,  
1978—To be considered.
- \*2 M.M.B.W. RESTRICTIONS ON UPVC AND CLAY PIPES—MOTION FOR APPOINTMENT  
OF SELECT COMMITTEE—(Hon. D. R. White)—*Resumption of debate. (Hon.  
F. J. Granter).*

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*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

## WEDNESDAY, 6 JUNE 1979

At 6 o'clock—

\*JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Victorian Institute of Marine Sciences, Victoria Institute of Colleges, Adult Education, Monash University and Victorian Institute of Secondary Education Councils.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

\* \* \*

### CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—  
*Resumption of debate. (Hon. B. P. Dunn).*

### GENERAL BUSINESS

#### Notice of Motion

- \*1 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend the *Vagrancy Act 1966*.

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—To be considered
- 2 M.M.B.W. RESTRICTIONS OF UPVC AND CLAY PIPES—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. D. R. White)—*Resumption of debate. (Hon. F. J. Granter).*

### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading.
- \*2 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading.
- \*3 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading.
- 4 CITY OF MELBOURNE (RE-SUBDIVISION) BILL—(Hon. D. G. Crozier)—To be further considered in Committee.
- 5 FORESTS (RESERVED LAND) BILL—(Hon. F. J. Granter)—Second reading—*Resumption of debate. (Hon. D. G. Williams).*
- 6 EDUCATION—MOTION REGARDING DISRUPTION IN TECHNICAL SCHOOLS—(Hon. A. J. Hunt)—*Resumption of debate. (Hon. W. A. Landeryou).*

#### At 6 o'clock—

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Victorian Institute of Marine Sciences, Victoria Institute of Colleges, Adult Education, Monash University and Victorian Institute of Secondary Education Councils.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

**TUESDAY, 12 JUNE 1979**  
**GOVERNMENT BUSINESS**

**Orders of the Day**

- 1 GEELONG WATERWORKS AND SEWERAGE (TRUST) BILL—(Hon. F. J. Granter)—  
Second reading—*Resumption of debate.* (Hon. D. R. White).
- \*2 BRIGHT (LAND EXCHANGE) BILL—(Hon. W. V. Houghton)—Second reading—  
*Resumption of debate.* (Hon. H. A. Thomas).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

\* \* \*

**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot,  
D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

**SELECT COMMITTEES**

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and  
N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A.  
Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans,  
Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles,  
N. F. Stacey and K. I. Wright.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M.  
Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and  
W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B.  
Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G.  
Williams.

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## LEGISLATIVE COUNCIL OF VICTORIA

<b>MINUTES OF THE PROCEEDINGS</b>
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**No. 3—Tuesday, 5 June 1979**

- 1 The President took the Chair and read the Prayer.
- 2 VICTORIAN INSTITUTE OF SECONDARY EDUCATION COUNCIL—The President announced the receipt of the following communication from the Honorable the Minister of Education:

5 June 1979

Dear Mr President,

Further to my letter of 23rd May concerning the holding of a joint sitting to recommend Members for appointment to certain vacancies in the governing councils of certain educational institutions, I should be grateful if a Member could be selected for appointment to the Council of the Victorian Institute of Secondary Education vice Robert Clive Fordham Esquire, M.P., for the term ending the 10th January, 1981.

I have addressed a similar letter to the Speaker of the Legislative Assembly.

Yours sincerely,

A. J. HUNT  
Minister of Education

- 3 MINISTERIAL STATEMENT—HOUSING COMMISSION LAND PURCHASES—The Honorable A. J. Hunt made a Ministerial Statement on the appointment of a Royal Commission into land purchases by the Housing Commission.
- 4 PETITION—ALPINE AREA OF VICTORIA—The Honorable D. M. Evans presented a Petition from certain citizens of Victoria praying for the planning of an efficient multiple use management system of the Alpine Area of Victoria.  
Ordered to lie on the Table.

- 5 JOINT SITTING—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to meet the Council for the purpose of sitting and voting together to choose a Member of the Parliament of Victoria to be recommended for appointment to the Council of the Victorian Institute of Secondary Education, and proposing that the place and time of such meeting be the Legislative Assembly Chamber on Wednesday next at Six o'clock, and desiring the concurrence of the Council.

The Honorable A. J. Hunt moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose a Member of the Parliament of Victoria to be recommended for appointment to the Council of the Victorian Institute of Secondary Education and, as proposed by the Legislative Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday next at Six o'clock.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Legislative Assembly acquainting them with the foregoing resolution.



- 6 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable W. A. Landeryou, moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to re-introduce legislation dealing with credit reform”; and six other Honorable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 9

The Hon. R. J. Eddy (*Teller*)  
 D. G. Elliot  
 A. W. Knight  
 W. A. Landeryou  
 H. A. Thomas  
 I. B. Trayling  
 J. M. Walton  
 D. R. White  
 D. G. Williams (*Teller*)

NOES, 26

The Hon. W. R. Baxter  
 P. D. Block  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 Dr K. J. Foley  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade (*Teller*)  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 K. I. Wright

And so it passed in the negative.

- 7 IMPERIAL ACTS APPLICATION BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to make further provision with respect to certain enactments of the Parliament of England and of the Parliament of Great Britain and of the Parliament of the United Kingdom of Great Britain and Ireland in force at the time of the passing of the Act 9 George IV. c. LXXXIII., to incorporate into the Statute Law of Victoria certain of such enactments, to amend the *Imperial Acts Application Act 1922* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 8 IMPERIAL LAW RE-ENACTMENT BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to re-enact certain Imperial Laws applying in Victoria as part of the Statute Law of Victoria, to repeal Part III. of the *Imperial Acts Application Act 1922*, to amend various Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

9 CONSTITUTIONAL POWERS (REQUEST) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to request the Parliament of the Commonwealth to enact an Act to remove certain Restrictions on the Exercise of Legislative Power by the Parliament of Victoria, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

10 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Liquor Control Commission—Report and statement of accounts for the year 1977–78.

Teaching Service Act 1958—

Teaching Service (Classification, Salaries, and Allowances) Regulation—Amendment No. 478.

Teaching Service (Teachers Tribunal) Regulations—Amendment No. 477.

Town and Country Planning Act 1961—

Bendigo—City of Bendigo Planning Scheme—Amendment No. 29.

Benalla—City of Benalla Planning Scheme—Amendments Nos. 23 and 24.

Bulla—Shire of Bulla Planning Scheme—Amendment No. 71.

Corryong Planning Scheme 1960—Amendment No. 8.

Horsham—City of Horsham Planning Scheme 1973—Amendments No. 39, 1978 and No. 50.

Lake Tyers—Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 1.

Rosedale—Shire of Rosedale Planning Scheme—Amendment No. 11, 1979.

Sale—City of Sale Planning Scheme 1975—Amendment No. 5, 1978.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 36, 1978.

11 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 14 *ante*), having been read:

Debate resumed.

The Honorable B. P. Dunn moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

12 SESSIONAL ORDERS—The Honorable A. J. Hunt moved, That in each week of the present Session—

(a) The days and hours of meeting of the Council shall be Tuesday at half-past Four o'clock, Wednesday at Four o'clock and Thursday at Eleven o'clock;

(b) On Tuesday and Thursday the transaction of Government business shall take precedence of all other business, and on Wednesday Private Members' business shall take precedence of Government business; and

(c) No new business shall be taken after half-past Ten o'clock.

Question—put and resolved in the affirmative.

13 BRIGHT (LAND EXCHANGE) BILL—On the motion of the Honorable A. J. Hunt, for the Honorable W. V. Houghton, leave was given to bring in a Bill to provide for the Exchange of certain Lands in the Township of Bright and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

14 GEELONG WATERWORKS AND SEWERAGE (TRUST) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable D. R. White, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

15 BRIGHT (LAND EXCHANGE) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable H. A. Thomas moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

16 CITY OF MELBOURNE (RE-SUBDIVISION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable W. A. Landeryou moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for election to the Council on the democratic principle of one man one vote of equal value.”

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put. The Council divided.

AYES, 27

NOES, 7

The Hon. W. R. Baxter  
 P. D. Block  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest (*Teller*)  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright (*Teller*)

The Hon. R. J. Eddy  
 W. A. Landeryou  
 H. A. Thomas (*Teller*)  
 I. B. Trayling (*Teller*)  
 J. M. Walton  
 D. R. White  
 D. G. Williams

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

And then the Council, at ten minutes past Ten o'clock, adjourned until tomorrow.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 4—Wednesday, 6 June 1979

- 1 The President took the Chair and read the Prayer.
- 2 JOINT SELECT COMMITTEE (ROAD SAFETY) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for the Appointment of a Joint Select Committee of the Legislative Council and the Legislative Assembly to Inquire into and Report upon Certain Questions relating to Road Safety, and for other purposes*” and desiring the concurrence of the Council therein.  
On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 MELBOURNE UNIVERSITY COUNCIL—The Honorable A. J. Hunt moved, by leave, That the Honorable Bruce Anthony Chamberlain be recommended to the Governor in Council for appointment to the Council of the Melbourne University.  
Question—put and resolved in the affirmative.
- 4 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.
- 5 VAGRANCY (AMENDMENT) BILL—On the motion of the Honorable W. A. Landeryou, leave was given to bring in a Bill to amend the *Vagrancy Act* 1966, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.  
The Order of the Day for the second reading of this Bill having been read, the Honorable W. A. Landeryou moved, That this Bill be now read a second time.  
The Honorable Haddon Storey moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Wednesday next.
- 6 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until later this day.
- 7 IMPERIAL ACTS APPLICATION BILL, IMPERIAL LAW RE-ENACTMENT BILL AND CONSTITUTIONAL POWERS (REQUEST) BILL—The Honorable Haddon Storey moved, by leave, That this House authorizes and requires the Honorable the President to permit the second readings of the Imperial Acts Application Bill, the Imperial Law Re-enactment Bill and the Constitutional Powers (Request) Bill to be moved and debated concurrently.  
Question—put and resolved in the affirmative.

Pursuant to the foregoing resolution, the Orders of the Day for the second reading of each of the Bills having severally been read, the Honorable Haddon Storey moved, That these Bills be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 and 5, be postponed until later this day.

- 9 EDUCATION—DISRUPTION IN TECHNICAL SCHOOLS—The Order of the Day for the resumption of the debate on the question, That this House affirms the right of school children to an education by dedicated teachers, free from interruption, deploras recent disruptions at the expense of pupils in technical schools, and calls upon the parties to end the present dispute immediately, recognize that the interests of the children must be paramount and ensure that detriment to their lives and prospects shall be avoided, having been read—

The Honorable W. A. Landeryou moved, as an amendment, that the words “and calls upon the parties to end the present dispute immediately, recognize that the interests of the children must be paramount and ensure that detriment to their lives and prospects shall be avoided” be omitted with the view of inserting in place thereof the words “recognizes that the interests of the children must be paramount and that detriment to their lives and prospects must be avoided and in order to obviate the possibility of future difficulties calls upon the Government to pursue realistic consultations with teacher associations with a view to ensuring satisfactory industrial relations with the teaching profession and the most appropriate machinery to facilitate it”.

Debate ensued.

*Interruption—*

- 10 JOINT SITTING—The President announced that the time had arrived for this House to meet the Assembly in the Assembly Chamber for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment to the governing bodies of various institutions. Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that this House had met the Legislative Assembly in the Assembly Chamber for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment to the governing bodies of various institutions, and that the following Members had been so chosen:

The Council of the Victorian Institute of Marine Sciences—  
Bruce James Evans, Esquire, M.P.  
Aurel Smith, Esquire, M.P., and  
Gordon Francis Stirling, Esquire, M.P.

The Council of the Victoria Institute of Colleges—  
The Honorable William Montgomery Campbell, M.L.C.  
Thomas William Roper, Esquire, M.P., and  
Thomas Champion Trewin, Esquire, M.P.

The Council of Adult Education—  
The Honorable William Albert Landeryou, M.L.C.

The Council of the Monash University—  
The Honorable Peter David Block, M.L.C., and

The Council of the Victorian Institute of Secondary Education—  
 The Honorable Bernard Phillip Dunn, M.L.C.  
 Charles Race Thorson Mathews, Esquire, M.P., and  
 Donald James Mackinnon, Esquire, M.P.

- 11 EDUCATION—DISRUPTION IN TECHNICAL SCHOOLS—Debate resumed on the motion regarding disruption in technical schools and on the amendment moved by the Honorable W. A. Landeryou.

The Honorable N. F. Stacey moved, by leave, That the word “technical” be omitted from the original motion.

Debate ensued.

Question—That the word “technical”, proposed to be omitted from the original motion, stand part of the question—put and negatived.

Question—That the words proposed to be omitted by the amendment moved by the Honorable W. A. Landeryou stand part of the question—put and negatived.

Question—That the words proposed to be inserted by the amendment moved by the Honorable W. A. Landeryou be so inserted—put and resolved in the affirmative.

Question—That this House affirms the right of school children to an education by dedicated teachers, free from interruption, deploras recent disruptions at the expense of pupils in schools, recognizes that the interests of the children must be paramount and that detriment to their lives and prospects must be avoided and in order to obviate the possibility of future difficulties calls upon the Government to pursue realistic consultations with teacher associations with a view to ensuring satisfactory industrial relations with the teaching profession and the most appropriate machinery to facilitate it—put and resolved in the affirmative.

- 12 LIBRARY COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey and D. G. Williams be members of the Joint Committee to manage the Library.

Question—put and resolved in the affirmative.

- 13 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency’s Opening Speech (for Address see page 14 *ante*), having been read:

Debate resumed.

The Honorable S. E. Gleeson moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 14 CATTLE COMPENSATION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Cattle Compensation Act 1967’ and the ‘Stamps Act 1958’, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 15 JOINT SELECT COMMITTEE (ROAD SAFETY) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the

House in Committee.

The President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 CATTLE COMPENSATION BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Motor Accidents Board—Report for the year 1977–78.

- 18 ADJOURNMENT—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at five minutes past Ten o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at a Quarter to Five o'clock*

## LEGISLATIVE COUNCIL

### Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—  
*Resumption of debate. (Hon. S. E. Gleeson).*

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 CITY OF MELBOURNE (RE-SUBDIVISION) BILL—(Hon. D. G. Crozier)—To be further considered in Committee.
- 2 FORESTS (RESERVED LAND) BILL—(Hon. F. J. Granter)—Second reading—  
*Resumption of debate. (Hon. D. G. Williams).*
- 3 GEELONG WATERWORKS AND SEWERAGE (TRUST) BILL—(Hon. F. J. Granter)—  
Second reading—*Resumption of debate. (Hon. D. R. White).*
- 4 BRIGHT (LAND EXCHANGE) BILL—(Hon. W. V. Houghton)—Second reading—  
*Resumption of debate. (Hon. H. A. Thomas).*
- 5 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—  
*Resumption of debate. (Hon. W. A. Landeryou).*
- 6 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading  
—*Resumption of debate. (Hon. W. A. Landeryou).*
- 7 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second  
reading—*Resumption of debate. (Hon. W. A. Landeryou).*

### GENERAL BUSINESS

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH,  
1978—To be considered.
- 2 M.M.B.W. RESTRICTIONS ON UPVC AND CLAY PIPES—MOTION FOR APPOINTMENT  
OF SELECT COMMITTEE—(Hon. D. R. White)—*Resumption of debate. (Hon.  
F. J. Granter).*

WEDNESDAY, 13 JUNE 1979

### GENERAL BUSINESS

#### Order of the Day

- \*1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—  
*Resumption of debate. (Hon. Haddon Storey).*

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*



## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

## SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

\*LIBRARY (JOINT)—The Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey, and D. G. Williams.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—  
*Resumption of debate. (Hon. D. R. White).*

### GENERAL BUSINESS

#### Notices of Motion

- \*1 The Hon. W. A. LANDERYOU—To move, that he have leave to bring in a Bill to abolish a certain Inhumane Punishment and for other purposes.
- \*2 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to establish an Electoral Commission for dividing the State of Victoria from Time to Time into Electoral Provinces for the Legislative Council and Electoral Districts for the Legislative Assembly.
- \*3 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to abolish the Legislative Council of Victoria, and for other purposes.

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—To be considered.
- 2 M.M.B.W. RESTRICTIONS ON UPVC AND CLAY PIPES—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. D. R. White)—*Resumption of debate. (Hon. F. J. Granter).*
- 3 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 FORESTS (RESERVED LAND) BILL—(Hon. F. J. Granter)—To be further considered in Committee.
- \*2 RIVER IMPROVEMENT (TRUSTS AND VALIDATIONS) BILL—(Hon. F. J. Granter)—Second reading.
- 3 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- 4 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- 5 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

**TUESDAY, 19 JUNE 1979**  
**GOVERNMENT BUSINESS**

**Orders of the Day**

- \*1 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption or debate. (Hon. D. R. White).
- \*2 OMBUDSMAN (CO-OPERATION) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- \*3 GEELONG (HAIMES HOMES) LAND BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. J. Eddy).

A. R. B. McDONNELL  
Clerk of the Legislative Council

W. G. FRY  
President

\* \* \*

**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

**SELECT COMMITTEES**

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey, and D. G. Williams.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

\*ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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*Mr President takes the Chair at a Quarter past Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—  
*Resumption of debate. (Hon. D. R. White).*

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 FORESTS (RESERVED LAND) BILL—(Hon. F. J. Granter)—To be further considered in Committee.
- 2 RIVER IMPROVEMENT (TRUSTS AND VALUATIONS) BILL—(Hon. F. J. Granter)—Second reading.
- \*3 INSTRUMENTS (WRITS) BILL—(Hon. Haddon Storey)—Second reading.
- \*4 MOTOR CAR (BREATH TESTING STATIONS) (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- 5 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- 6 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- 7 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*

### GENERAL BUSINESS

#### Notices of Motion

- \*1 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend Section 925 of the *Local Government Act 1958* with respect to the Installation of Bullet-resistant Glass in Premises used for Banking or the Receipt of Money from the Public.
- \*2 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend Section 10 of the *Public Records Act 1973* with respect to reducing the Maximum Period for which Public Records may be withheld from Access by the Public.

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—To be considered.
- 2 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- \*3 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- \*4 ELECTORAL COMMISSION BILL—(Hon. W. A. Landeryou)—Second reading.

*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

**TUESDAY, 19 JUNE 1979**  
**GOVERNMENT BUSINESS**

**Orders of the Day**

- 1 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption or debate. (Hon. D. R. White).
- 2 OMBUDSMAN (CO-OPERATION) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 3 GEELONG (HAIMES HOMES) LAND BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. J. Eddy).

A. R. B. McDONNELL  
Clerk of the Legislative Council

W. G. FRY  
President

\* \* \*

**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

**SELECT COMMITTEES**

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey, and D. G. Williams.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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## LEGISLATIVE COUNCIL OF VICTORIA

## MINUTES OF THE PROCEEDINGS

## No. 5—Tuesday, 12 June 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:  
*Joint Select Committee (Road Safety) Act.*  
*Cattle Compensation Act.*
- 3 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Gas and Fuel Corporation Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.  
 On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 ROAD SAFETY COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas be members of the Road Safety Committee.  
 Question—put and resolved in the affirmative.
- 5 CONSERVATION OF ENERGY RESOURCES COMMITTEE—SUSPENSION OF STANDING ORDER No. 207—The Honorable I. B. Trayling moved, by leave, That the Standing Order prohibiting publication of evidence and documents received by a Select Committee, before such matters are reported to the House, be suspended so far as to allow the release of such information to interested persons by the Conservation of Energy Resources Committee during the course of its investigations into transport systems, and vehicle and engine design.  
 Question—put and resolved in the affirmative.
- 6 RIVER IMPROVEMENT (TRUSTS AND VALUATIONS) BILL—On the motion (by leave without notice) of the Honorable F. J. Granter, leave was given to bring in a Bill to amend the *River Improvement Act 1958* with respect to the Constitution of River Improvement Trusts and Estimates and Valuations, and for other Purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 PAPERS  
 LOCAL GOVERNMENT—The Honorable D. G. Crozier moved, by leave, That there be laid before this House the Interim Report of the Board of Review of the Role, Structure and Administration of Local Government.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honorable D. G. Crozier and ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Motor Car Traders Committee—Report for the year 1978.

National Museum—Statements of income and expenditure for the year 1977-78.

Railways Act 1958—Licence Agreement, Altona-Somerton pipeline, pursuant to section 100B of the Act.

Superannuation—Report of the State Superannuation Board for the year 1976-77.

Town and Country Planning Act 1961—

Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 19, 1978.

Bendigo—City of Bendigo Planning Scheme 1962—Amendment No. 22, 1977.

Melbourne and Metropolitan Planning Scheme—Amendments No. 56, Part 2B; No. 81, Part 2, with maps (three papers); No. 87, Part 2A, with maps (four papers); and No. 123, with maps (three papers).

Moe—City of Moe Planning Scheme—Amendment No. 53.

Seymour Planning Scheme—Amendment No. 42.

- 8 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.
- 9 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.  
The Honorable D. R. White moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 10 CITY OF MELBOURNE (RE-SUBDIVISION) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.  
House in Committee.  
The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time, after debate, and passed.  
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 12 **GEELONG WATERWORKS AND SEWERAGE (TRUST) BILL**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 **BRIGHT (LAND EXCHANGE) BILL**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 14 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 14 *ante*), having been read:

Debate resumed.

The Honorable R. J. Eddy, for the Honorable D. R. White, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 15 **IMPERIAL ACTS APPLICATION BILL, IMPERIAL LAW RE-ENACTMENT BILL AND CONSTITUTIONAL POWERS (REQUEST) BILL**—The Order of the Day for the resumption of the debate on the question, That these Bills be now read a second time (pursuant to the resolution of the Council on 6 June 1979) having been read—

Debate resumed.

The Honorable W. M. Campbell moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 16 **IMPERIAL ACTS APPLICATION BILL, IMPERIAL LAW RE-ENACTMENT BILL AND CONSTITUTIONAL POWERS (REQUEST) BILL**—The Honorable Haddon Storey moved, by leave, That the proposals contained in the Imperial Acts Application Bill, the Imperial Law Re-enactment Bill and the Constitutional Powers (Request) Bill be referred to the Statute Law Revision Committee for examination and report.

Debate ensued.

Question—put and resolved in the affirmative.



- 17 CONSTITUTION (LOCAL GOVERNMENT) BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to make Provision in the Victorian Constitution with respect to Local Government, to amend the *Constitution Act 1975* and the *Local Government Act 1958* and for other purposes.

The President announced the receipt of a letter from the Clerk of the Parliaments relevant to the matter, which letter was read and is as follows:

6 June 1979

Dear Mr President,

I have to inform you that the Constitution (Local Government) Bill 1978 was introduced into the Legislative Council on 2 May 1978 by the Hon. A. J. Hunt, M.L.C. (at that time Minister for Local Government). On 3 May 1978 it was referred by the Council to the Statute Law Revision Committee for examination and report, which Committee reported to the House on 29 November 1978. During the subsequent proceedings in the Council, the Bill did not pass with votes of absolute majorities at the second and third reading stages.

When transmitting the Bill to the Legislative Assembly no special advice was communicated to the officers of that House by the Clerk of the Legislative Council, as would have been the case had absolute majorities been obtained at the appropriate stages of the passage of the Bill through the Legislative Council. In the absence of special intimation to the Legislative Assembly, the officers of that House did not advise of the need for absolute majorities at the appropriate stages of the passage of the Bill in the Legislative Assembly; consequently, no such majorities were obtained.

In preparing the special copies of the Bill for certification to His Excellency the Governor (a prerequisite to His Excellency giving Royal Assent), I became aware of the failure of the two Houses to pass the Bill as required by section 18 (2) (b) of the *Constitution Act 1975*. Pursuant to the restraint thereby imposed upon me, I refrained from presenting the Bill to His Excellency.

The Constitution (Local Government) Bill 1979, as now introduced into the Legislative Council by the Hon. Haddon Storey, M.L.C. (Attorney-General), is identical with the Bill which passed all stages without amendment in the Legislative Council and the Legislative Assembly in December 1978.

Yours faithfully,  
A. R. B. McDONNELL  
Clerk of the Parliaments

On the motion of the Honorable D. G. Crozier, the Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

According to Order and after debate, the Bill was read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein, together with the letter from the Clerk of the Parliaments.

- 18 FORESTS (RESERVED LAND) BILL—The Order of the Day for resumption of the debate on the question, That this Bill be now read a second time was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable B. A. Chamberlain reported that the Committee had made progress in the Bill, and asked leave to sit again. Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 19 OMBUDSMAN (CO-OPERATION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to empower the Ombudsman to furnish Information to Commonwealth and State Ombudsmen and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 20 GEELONG (HAIMES HOMES) LAND BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke a Grant and Reservation relating to certain Land in the City of Geelong known as the Haimes Homes, to authorize the Granting of certain Land to the Trustees of the Haimes Homes, to authorize the Trustees to sell that Land, to require the Proceeds of any Sale of that Land to be used towards the cost of building, developing and improving Facilities at the Austin Homes, and for other purposes*" and desiring the concurrence of the Council therein.

The President ruled the Bill to be a Private Bill.

The Honorable A. J. Hunt, for the Honorable W. V. Houghton, moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt, for the Honorable W. V. Houghton, moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 21 OMBUDSMAN (CO-OPERATION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 22 GEELONG (HAIMES HOMES) LAND BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

And then the Council, at fifty-seven minutes past Nine o'clock, adjourned until tomorrow.

## No. 6—Wednesday, 13 June 1979

- 1 The President took the Chair and read the Prayer.
- 2 MOTOR CAR (BREATH TESTING STATIONS) (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Motor Car (Breath Testing Stations) Act 1976’*” and desiring the concurrence of the Council therein.  
On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 INSTRUMENTS (WRITS) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to amend the Second Schedule to the *Instruments Act 1958* with respect to the Form of the Writ of Summons upon a Bill of Exchange, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:  
Soil Conservation Authority—Report for the year 1977–78.  
Town and Country Planning Act 1961—Portland Planning Scheme 1957, Amendment No. 17, 1975, Part 1, with maps (six papers).  
Zoological Board—Report and statement of accounts for the year 1977–78.
- 5 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.
- 6 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—On the motion of the Honorable W. A. Landeryou, leave was given to bring in a Bill to abolish a certain Inhumane Punishment and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 ELECTORAL COMMISSION BILL—On the motion of the Honorable W. A. Landeryou, leave was given to bring in a Bill to establish an Electoral Commission for dividing the State of Victoria from Time to Time into Electoral Provinces for the Legislative Council and Electoral Districts for the Legislative Assembly, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 8 LEGISLATIVE COUNCIL (ABOLITION) BILL—On the motion of the Honorable W. A. Landeryou, leave was given to bring in a Bill to abolish the Legislative Council of Victoria, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.  
The Order of the Day for the second reading of this Bill having been read, the Honorable W. A. Landeryou moved, That this Bill be now read a second time  
Debate ensued.

Question—put.

The Council divided.

AYES, 8

The Hon. R. J. Eddy  
D. G. Elliot (*Teller*)  
W. A. Landeryou  
H. A. Thomas

NOES, 21

The Hon. W. R. Baxter (*Teller*)  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier

I. B. Trayling  
 J. M. Walton  
 D. R. White  
 D. G. Williams (*Teller*)

B. P. Dunn  
 D. M. Evans  
 S. E. Gleeson  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser (*Teller*)  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey

And so it passed in the negative.

- 9 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, General Business, No. 1, be postponed until later this day.
- 10 M.M.B.W.—RESTRICTIONS ON USE OF UPVC AND CLAY PIPES—The Order of the Day for the resumption of the debate on the question, That there be a Select Committee of eight Members appointed to examine the recent decision made by the Melbourne and Metropolitan Board of Works to ban the use of UPVC pipes in fourteen municipalities and further to ban the use of vitrified clay pipes in eight municipalities; the Committee to have power to send for persons, papers and records; three to be the quorum, having been read—

Debate ensued.

The Honorable F. J. Granter moved, as an amendment, That all the words after “That” be omitted with the view to inserting in place thereof “this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered to inquire into and report on the use of UPVC and vitrified clay pipes for sewerage purposes within Victoria, having regard to the future supply of suitable sewer pipes to meet the needs of the public and the viability of decentralized industry”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put and negated.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered to inquire into and report on the use of UPVC and vitrified clay pipes for sewerage purposes within Victoria, having regard to the future supply of suitable sewer pipes to meet the needs of the public and the viability of decentralized industry—put and resolved in the affirmative.

- 11 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at six minutes past Ten o'clock, adjourned until tomorrow.

A. R. B. McDONNELL  
 Clerk of the Legislative Council

## No. 7—Thursday, 14 June 1979

- 1 The Deputy-President took the Chair and read the Prayer.
- 2 CONSTITUTION (LOCAL GOVERNMENT) BILL—The Deputy-President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
- 3 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
     Consumer Affairs—Report of the Director of Consumer Affairs for the year 1977-78.
- 4 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and Order of the Day, Government Business, No. 1, be postponed until later this day.
- 5 RIVER IMPROVEMENT (TRUSTS AND VALUATIONS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.  
     The Honorable D. R. White moved, That the debate be now adjourned.  
     Question—That the debate be now adjourned—put and resolved in the affirmative.  
     Ordered—That the debate be adjourned until Tuesday next.
- 6 INSTRUMENTS (WRITS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
     The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
     Question—That the debate be now adjourned—put and resolved in the affirmative.  
     Ordered—That the debate be adjourned until the next day of meeting.
- 7 MOTOR CAR (BREATH TESTING STATIONS) (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
     The Honorable J. M. Walton moved, That the debate be now adjourned.  
     Question—That the debate be now adjourned—put and resolved in the affirmative.  
     Ordered—That the debate be adjourned until Tuesday next.
- 8 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 14 *ante*), having been read:  
     The Honorable W. R. Baxter moved, That the debate be now adjourned.  
     Question—That the debate be now adjourned—put and resolved in the affirmative.  
     Ordered, after debate—That the debate be adjourned until the next day of meeting.
- 9 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.  
     Debate ensued.  
     Question—put and resolved in the affirmative.

And then the Council, at forty-nine minutes past Three o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at a Quarter to Five o'clock*

## LEGISLATIVE COUNCIL

### Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—  
*Resumption of debate. (Hon. W. R. Baxter).*

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 FORESTS (RESERVED LAND) BILL—(Hon. F. J. Granter)—To be further considered in Committee.
- 2 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate. (Hon. D. R. White).*
- 3 OMBUDSMAN (CO-OPERATION) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 4 GEELONG (HAIMES HOMES) LAND BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 5 RIVER IMPROVEMENT (TRUSTS AND VALUATIONS) BILL—(Hon. F. J. Granter)—Second reading—*Resumption of debate. (Hon. D. R. White).*
- 6 INSTRUMENTS (WRITS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 7 MOTOR CAR (BREATH TESTING STATIONS) (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. J. M. Walton).*
- 8 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- 9 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- 10 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend Section 925 of the *Local Government Act 1958* with respect to the Installation of Bullet-resistant Glass in Premises used for Banking or the Receipt of Money from the Public.
- 2 The Hon. W. A. LANDERYOU—To move, That he have leave to bring in a Bill to amend Section 10 of the *Public Records Act 1973* with respect to reducing the Maximum Period for which Public Records may be withheld from Access by the Public.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

**Orders of the Day**

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—To be considered.
- 2 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 3 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

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**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

**SELECT COMMITTEES**

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey, and D. G. Williams.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### Order of the Day (to take precedence)

- 1 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—MOTION FOR—  
*Resumption of debate. (Hon. Glyn Jenkins).*

### GENERAL BUSINESS

#### Notices of Motion

- \*1 The Hon. W. A. LANDERYOU—To move, That this House expresses its grave concern at the assault on civil liberties involved in the laying of charges against trade unionists in Western Australia carrying out their normal duties, and calls on the Government, in the interests of defending democratic freedoms and thereby helping to create a climate of industrial harmony, to prevail upon the Western Australian Government to move for the repeal of those sections of the Western Australian Police Act under which the charges were laid and to make such action retrospective.
- \*2 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- \*3 The Hon. D. G. WILLIAMS—To move, That there be a Select Committee of eight members appointed for the purpose of determining methods of treatment and disposal of trade waste appropriate to preservation of the total natural environment of Victoria and the protection of its citizens; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*4 The Hon. D. R. WHITE—To move, That there be an Expenditure Review Committee of eight members appointed to examine as a matter of priority the finances of the Melbourne and Metropolitan Board of Works, having regard in particular to:
- 1 the raising and repayment of loans;
  - 2 the method of preparation of annual revenue estimates; and
  - 3 the levying of rates based upon the net annual value of property;
- the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*5 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—Motion—That the Council take note of the Resolutions—(Hon. J. W. Galbally)—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 2 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 3 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.



- 4 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.  
 \*5 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—  
 Second reading.  
 \*6 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second  
 reading.

## GOVERNMENT BUSINESS

### Orders of the Day

- \*1 LOCAL GOVERNMENT (AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second  
 reading.  
 2 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate. (Hon. W. M. Campbell).*  
 3 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading  
 —*Resumption of debate. (Hon. W. M. Campbell).*  
 4 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second  
 reading—*Resumption of debate. (Hon. W. M. Campbell).*

TUESDAY, 26 JUNE 1979

## GOVERNMENT BUSINESS

### Order of the Day

- \*1 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. H. A. Thomas).*

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

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## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorable's P. D. Block, B. A. Chamberlain, D. G. Elliot,  
 D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

## SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorable's B. A. Chamberlain, J. W. Galbally and  
 N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorable's V. T. Hauser, J. A.  
 Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorable's the President (*ex officio*), B. P. Dunn, D. M. Evans,  
 Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorable's the President, D. G. Elliot, D. M. Evans, N. F.  
 Stacey, and D. G. Williams.

PRINTING—The Honorable's the President, B. P. Dunn, D. G. Elliot, R. I. Knowles,  
 N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorable's B. P. Dunn, H. M. Hamilton and H. A.  
 Thomas.

STANDING ORDERS—The Honorable's the President, W. R. Baxter, P. D. Block, W. M.  
 Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and  
 W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorable's D. M. Evans, J. V. C. Guest, N. B.  
 Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorable's D. N. Saltmarsh and D. G.  
 Williams.

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## LEGISLATIVE COUNCIL OF VICTORIA

<b>MINUTES OF THE PROCEEDINGS</b>
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**No. 8—Tuesday, 19 June 1979**

- 1 The President took the Chair and read the Prayer.
- 2 SUBORDINATE LEGISLATION COMMITTEE—The Honorable Haddon Storey moved, by leave, That the Subordinate Legislation Committee have power to inquire into and report upon—
  - (a) whether there is a need for a systematic programme of consolidation and review of the published subordinate legislation of Victoria;
  - (b) whether the present arrangements as to publication and public availability of current subordinate legislation are satisfactory; and
  - (c) whether the present procedure as to disallowance of statutory rules by Parliament is satisfactory.
 Question—put and resolved in the affirmative.
- 3 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—On the motion (by leave without notice) of the Honorable W. V. Houghton, leave was given to bring in a Bill to revoke the Permanent Reservations of certain Lands and for Purposes connected therewith, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 LOCAL GOVERNMENT (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to amend the *Local Government Act* 1958, to repeal certain obsolete Acts, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Ombudsman—Report for the quarter ended 31 March 1979.
  - Police Service Board—Determination No. 306.
  - Statutory Rules under the following Acts of Parliament:
    - Chiropractors and Osteopaths Act 1978—No. 169.
    - Coal Mines Act 1958—No. 155.
    - Community Welfare Services Act 1970—No. 153.
    - Dentists Act 1972—No. 170.
    - Extractive Industries Act 1966—No. 156.
    - Forests Act 1958—No. 165.
    - Industrial Training Act 1975—Nos. 161 and 168.
    - Magistrates' Courts Act 1971, Magistrates (Summary Proceedings) Act 1975, Landlord and Tenant Act 1958—No. 158.
    - Marine Act 1958—No. 167.
    - Market Court Act 1978—No. 163.
    - Mental Health Act 1959—No. 160.
    - Mines Act 1958—No. 154.
    - Mt Hotham Alpine Resort Act 1972—No. 164.
    - National Parks Act 1975—No. 157.

Statutory Rules under the following Acts of Parliament (*cont*):

Port of Melbourne Authority Act 1958—No. 151.

Public Service Act 1974—Nos. 159 and 166; PSD Nos. 28 to 31.

Tattersall Consultations Act 1958—No. 162.

Town and Country Planning Act 1961:

Werribee—Shire of Werribee Planning Scheme 1963—Amendment No. 57, 1978.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 32, 1978.

6 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor and Order of the Day, Government Business, No. 1, be postponed until later this day.

7 GAS AND FUEL CORPORATION (BORROWING POWERS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

8 OMBUDSMAN (CO-OPERATION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

9 GEELONG (HAIMES HOMES) LAND BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10 RIVER IMPROVEMENT (TRUSTS AND VALUATIONS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with an amendment, the

House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 FORESTS (RESERVED LAND) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 12 INSTRUMENTS (WRITS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 MOTOR CAR (BREATH TESTING STATIONS) (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—On the motion of the Honorable W. A. Landeryou, leave was given to bring in a Bill to amend Section 925 of the *Local Government Act* 1958 with respect to the Installation of Bullet-resistant Glass in Premises used for Banking or the Receipt of Money from the Public, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 15 PUBLIC RECORDS (AMENDMENT) BILL—On the motion of the Honorable W. A. Landeryou, leave was given to bring in a Bill to amend Section 10 of the *Public Records Act* 1973 with respect to reducing the Maximum Period for which Public Records may be withheld from Access by the Public, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 16 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH 1978—The Honorable J. W. Galbally moved, That the Council take note of the Resolutions adopted at the Australian Constitutional Convention, Parliament House, Perth, 26 to 28 July 1978.

Debate ensued.

The Honorable B. A. Chamberlain moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.

- 17 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable H. A. Thomas moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.

- 18 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 14 *ante*), having been read:

Debate resumed.

The Honorable Glyn Jenkins moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.

- 19 ADJOURNMENT—The Honorable D. G. Crozier moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And the Council, at forty-five minutes past Ten o'clock, adjourned until tomorrow.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

## No. 9—Wednesday, 20 June 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the under-mentioned Act presented to him by the Clerk of the Parliaments, viz.:  
*Constitution (Local Government) Act*
- 3 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Dairy Industry Authority—Report, together with statement and account, for the year 1977–78.
  - Poultry Farmer Licensing Review Committee—Report for the year ended 28 February 1979.
  - Third Party Insurance—Report of the Premiums Committee for the year 1977–78.
- 4 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for the Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.

- 5 INDUSTRIAL RELATIONS—The Honorable W. A. Landeryou moved, That this House expresses its grave concern at the assault on civil liberties involved in the laying of charges against trade unionists in Western Australia carrying out their normal duties, and calls on the Government, in the interests of defending democratic freedoms and thereby helping to create a climate of industrial harmony, to prevail upon the Western Australian Government to move for the repeal of those sections of the Western Australian Police Act under which the charges were laid and to make such action retrospective.

Debate ensued.

The Honorable Haddon Storey moved, as an amendment, That all the words after "That this House" be omitted with the view to inserting in place thereof—

"1 Reaffirms its recognition of the right of peaceful assembly subject only to lawful constraints imposed in conformity with the principles of the International Covenant on Civil and Political Rights as necessary in aid of democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others;

2 Supports the process of democratic debate and dialogue as the best means of determining the proper limits of these constraints;

3 Rejects the use of industrial force as a method of determining these limits; and

4 Calls upon—

(a) the parties to the present dispute to reconcile their differences without the harm to the community which would result from a general strike; and

(b) the Victorian Trades Hall Council to use its good offices and best endeavours to secure this result."

Debate ensued.

Question—That the amendment be agreed to—put.

The Council divided.

AYES, 23

The Hon. W. R. Baxter (*Teller*)  
 P. D. Block  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr R. W. Howard (*Teller*)  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 D. N. Saltmarsh  
 Haddon Storey

NOES, 7

The Hon. R. J. Eddy (*Teller*)  
 W. A. Landeryou  
 H. A. Thomas (*Teller*)  
 I. B. Trayling  
 J. M. Walton  
 D. R. White  
 D. G. Williams

And so it was resolved in the affirmative.

Question—That this House—

- 1 Reaffirms its recognition of the right of peaceful assembly subject only to lawful constraints imposed in conformity with the principles of the International Covenant on Civil and Political Rights as necessary in aid of democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others;
- 2 Supports the process of democratic debate and dialogue as the best means of determining the proper limits of these constraints;
- 3 Rejects the use of industrial force as a method of determining these limits; and
- 4 Calls upon—
  - (a) the parties to the present dispute to reconcile their differences without the harm to the community which would result from a general strike; and
  - (b) the Victorian Trades Hall Council to use its good offices and best endeavours to secure this result—put.

The Council divided.

<p>AYES, 23</p> <p>The Hon. W. R. Baxter</p> <p>P. D. Block</p> <p>W. M. Campbell</p> <p>B. A. Chamberlain</p> <p>D. G. Crozier</p> <p>B. P. Dunn</p> <p>D. M. Evans</p> <p>S. E. Gleeson</p> <p>F. J. Granter</p> <p>F. S. Grimwade</p> <p>J. V. C. Guest</p> <p>H. M. Hamilton</p> <p>V. T. Hauser</p> <p>W. V. Houghton</p> <p>Dr R. W. Howard</p> <p>A. J. Hunt</p> <p>Glyn Jenkins (<i>Teller</i>)</p> <p>R. I. Knowles (<i>Teller</i>)</p> <p>R. J. Long</p> <p>S. R. McDonald</p> <p>N. B. Reid</p> <p>D. N. Saltmarsh</p> <p>Haddon Storey</p>	<p>NOES, 7</p> <p>The Hon. R. J. Eddy</p> <p>W. A. Landeryou</p> <p>H. A. Thomas</p> <p>I. B. Trayling</p> <p>J. M. Walton</p> <p>D. R. White (<i>Teller</i>)</p> <p>D. G. Williams (<i>Teller</i>)</p>
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And so it was resolved in the affirmative.

- 6 POSTPONEMENT OF NOTICE OF MOTION—Ordered, That the consideration of Notice of Motion, General Business, No. 2, be postponed until later this day.
- 7 TRADE WASTE TREATMENT AND DISPOSAL—The Honorable D. G. Williams moved, That there be a Select Committee of eight members appointed for the purpose of determining methods of treatment and disposal of trade waste appropriate to preservation of the total natural environment of Victoria and the protection of its citizens; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

The Honorable F. J. Granter, for the Honorable W. V. Houghton, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 8 MELBOURNE AND METROPOLITAN BOARD OF WORKS FINANCES—The Honorable D. R. White moved, That there be an Expenditure Review Committee of eight members appointed to examine as a matter of priority the finances of the Melbourne and Metropolitan Board of Works, having regard in particular to—

1 The raising and repayment of loans;

2 The method of preparation of annual revenue estimates; and

3 The levying of rates based upon the net annual value of property—

the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

The Honorable F. J. Granter moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 9 POSTPONEMENT OF NOTICE OF MOTION AND ORDERS OF THE DAY—Ordered, That the consideration of Notice of Motion, General Business, No. 5, and the Orders of the Day, General Business, be postponed until the next day of meeting.

- 10 LOCAL GOVERNMENT (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 11 ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR—The Order of the Day for the resumption of the debate on the question, That the Council agree to the Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 14 *ante*), having been read—

Debate resumed.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the Address be presented to His Excellency the Governor by the President and such Members of the Council as may wish to accompany him.

Question—put and resolved in the affirmative.

- 12 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend Section 19 and Section 53 of the ‘Community Welfare Services Act 1978’*” and desiring the concurrence of the Council therein.



On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 13 MONEY LENDERS (FEES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Money Lenders Act 1958’ to increase Fees payable with respect to Money Lenders’ Licences and other matters*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, for the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 14 MARGARINE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Margarine Act 1975’, and for other purposes connected therewith*” and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 15 EXHIBITION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to alter the method of appointing members of the Exhibition Trust, to provide increased borrowing powers for the Trust, to amend the ‘Exhibition Act 1957’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, for the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 16 GEELONG WATERWORKS AND SEWERAGE (TRUST) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.

- 17 ADJOURNMENT—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-two minutes past Eleven o’clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
Clerk of the Legislative Council

*Mr President takes the Chair at a Quarter to Five o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- \*2 MONEY LENDERS (FEES) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*3 MARGARINE (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- \*4 EXHIBITION (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- 5 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. H. A. Thomas).
- 6 LOCAL GOVERNMENT (AMENDMENT) BILL—(Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 7 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- 8 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- 9 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.
- \*3 The Hon. D. N. SALTMARSH—To move, That regulations 7 (2), 203 (4) (a) and (c), and 238 (2) (a) and (c) of the Gas Fitting Regulations 1979 (Statutory Rule No. 121/1979) be disallowed.

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—MOTION—That the Council take note of the Resolutions—(Hon. J. W. Galbally)—Resumption of debate. (Hon. B. A. Chamberlain).
- 2 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 3 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- 4 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- \*7 TRADE WASTE TREATMENT AND DISPOSAL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. D. G. Williams*)—*Resumption of debate.* (*Hon. W. V. Houghton*).
- \*8 M.M.B.W. FINANCES—MOTION FOR APPOINTMENT OF EXPENDITURE REVIEW COMMITTEE—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).

A. R. B. McDONNELL  
Clerk of the Legislative Council

W. G. FRY  
President

\* \* \*

### CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey, and D. G. Williams.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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*Mr President takes the Chair at Half past Two o'clock*

## LEGISLATIVE COUNCIL

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.
- 3 The Hon. D. N. SALTMARSH—To move, That regulations 7 (2), 203 (4) (a) and (c), and 238 (2) (a) and (c) of the Gas Fitting Regulations 1979 (Statutory Rule No. 121/1979) be disallowed.

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—MOTION—That the Council take note of the Resolutions—(*Hon. J. W. Galbally*)—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 2 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 3 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 TRADE WASTE TREATMENT AND DISPOSAL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. D. G. Williams*)—*Resumption of debate.* (*Hon. W. V. Houghton*).
- 8 M.M.B.W. FINANCES—MOTION FOR APPOINTMENT OF EXPENDITURE REVIEW COMMITTEE—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).

### GOVERNMENT BUSINESS

#### Notice of Motion

- \*1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to incorporate Trinity College, being a college affiliated to and connected with the University of Melbourne, to dissolve the Trinity College (Melbourne) Trusts Corporation, to amend the *Janet Clarke Hall Act 1961* and for other purposes.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

**Orders of the Day**

- \*1 SUPPLY (1979-80, No. 1) BILL—(from Assembly—Hon. Haddon Storey)—  
Second reading—Resumption of debate. (Hon. D. G. Williams).
- 2 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. H. A. Thomas).
- 3 LOCAL GOVERNMENT (AMENDMENT) BILL—(Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 4 MONEY LENDERS (FEES) BILL—(from Assembly—Hon. Haddon Storey)—  
To be committed.
- 5 EXHIBITION (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. D. R. White).
- \*6 HEALTH (CATTLE) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- \*7 VICTORIAN PUBLIC OFFICES CORPORATION (AMENDMENT) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. D. R. White).
- 8 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- 9 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- 10 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).

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**TUESDAY, 3 JULY 1979****GOVERNMENT BUSINESS****Orders of the Day**

- 1 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 2 MARGARINE (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—  
Second reading—Resumption of debate. (Hon. H. A. Thomas).

A. R. B. McDONNELL  
Clerk of the Legislative Council

W. G. FRY  
President

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*Mr President takes the Chair at a Quarter past Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 MONEY LENDERS (FEES) BILL—(from Assembly—Hon. Haddon Storey)—To be committed.
- 2 EXHIBITION (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 3 HEALTH (CATTLE) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 4 VICTORIAN PUBLIC OFFICES CORPORATION (AMENDMENT) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- \*5 CONSTRUCTION SAFETY BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 6 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- 7 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- 8 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.
- 3 The Hon. D. N. SALTMARSH—To move, That regulations 7 (2), 203 (4) (a) and (c), and 238 (2) (a) and (c) of the Gas Fitting Regulations 1979 (Statutory Rule No. 121/1979) be disallowed.

#### Orders of the Day

- 1 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—MOTION—That the Council take note of the Resolutions—(Hon. J. W. Galbally)—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 2 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 3 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- 4 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 7 M.M.B.W. FINANCES—MOTION FOR APPOINTMENT OF EXPENDITURE REVIEW COMMITTEE—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. Glyn Jenkins*).
- \*8 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- \*9 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.

**TUESDAY, 3 JULY 1979**  
**GOVERNMENT BUSINESS**

**Orders of the Day**

- 1 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 MARGARINE (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. H. A. Thomas*).
- \*3 TRINITY COLLEGE BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. D. G. Williams*).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

\* \* \*

**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

**SELECT COMMITTEES**

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey, and D. G. Williams.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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## LEGISLATIVE COUNCIL OF VICTORIA

## MINUTES OF THE PROCEEDINGS

## No. 10—Tuesday, 26 June 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the under-mentioned Acts presented to him by the Clerk of the Parliaments, viz.:
  - Gas and Fuel Corporation (Borrowing Powers) Act.*
  - Ombudsman (Co-operation) Act.*
  - Geelong (Haines Homes) Land Act.*
  - Motor Car (Breath Testing Stations) (Amendment) Act.*
  - Geelong Waterworks and Sewerage (Trust) Act.*
  - Bright (Land Exchange) Act.*
- 3 SUPPLY (1979–80, No. 1) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make Interim Provision for the Appropriation of Moneys out of the Consolidated Fund for the Service of the Financial Year 1979–80*” and desiring the concurrence of the Council therein.
 

On the motion of the Honorable A. J. Hunt, for the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 HEALTH (CATTLE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend section 83 of the ‘Health Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.
 

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 VICTORIAN PUBLIC OFFICES CORPORATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Victorian Public Offices Corporation Act 1974’*” and desiring the concurrence of the Council therein.
 

On the motion of the Honorable Haddon Storey, for the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 BRIGHT (LAND EXCHANGE) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
- 7 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable W. A. Landeryou moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to take action to protect



motor vehicle purchasers"; and six other Honorable members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 12

The Hon. W. R. Baxter  
 B. P. Dunn  
 R. J. Eddy  
 D. G. Elliot (*Teller*)  
 D. M. Evans (*Teller*)  
 J. W. Galbally  
 W. A. Landeryou  
 S. R. McDonald  
 H. A. Thomas  
 J. M. Walton  
 D. R. White  
 D. G. Williams

NOES, 20

The Hon. P. D. Block  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 N. B. Reid  
 D. N. Saltmarsh (*Teller*)  
 N. F. Stacey (*Teller*)  
 Haddon Storey

And so it passed in the negative.

8 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Building Industry Long Service Leave Board—Report for the year 1977–78.

Dried Fruits Board—Statement of accounts for the year 1977.

Education—Report of the Council of Public Education for the year 1977–78.

Friendly Societies—Report of the Registrar upon Benefit Associations, Friendly Societies, Industrial and Provident Societies and Trade Unions for the year 1977–78.

La Trobe University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1978 (fifteen papers).

Melbourne Wholesale Fruit and Vegetable Market Trust—Report, accounts and balance sheet for the period 22 June 1977 to 30 June 1978.

Railways Board—Report for the quarter ended 31 March 1979.

Swan Hill Pioneer Settlement Authority—Accounts and financial statement for the year ended 30 September 1978.

Town and Country Planning Act 1961—

Sherbrooke—Shire of Sherbrooke Planning Scheme—Amendment No. 126, with map (two papers).

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme.

9 SUPPLY (1979–80, No. 1) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable D. G. Williams moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 10 VICTORIAN PUBLIC OFFICES CORPORATION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.  
The Honorable D. R. White moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 11 HEALTH (CATTLE) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.  
The Honorable R. J. Eddy moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 12 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.  
The Honorable R. J. Eddy moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 13 MONEY LENDERS (FEES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
Debate ensued.  
Question—put and resolved in the affirmative.  
The Honorable Haddon Storey moved, That the Bill be committed to a Committee of the whole on the next day of meeting.  
Question—put and resolved in the affirmative.
- 14 MARGARINE (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.  
The Honorable H. A. Thomas moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 15 EXHIBITION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.  
The Honorable R. J. Eddy, for the Honorable D. R. White, moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 16 ADJOURNMENT—ALTERATION OF HOUR OF MEETING—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until tomorrow at a quarter past Two o'clock.  
Question—put and resolved in the affirmative.  
The Honorable A. J. Hunt moved, That the House do now adjourn.  
Debate ensued.  
Question—put and resolved in the affirmative.

And then the Council, at fifty-nine minutes past Six o'clock, adjourned until tomorrow at a quarter past Two o'clock.

## No. 11—Wednesday, 27 June 1979

- 1 The President took the Chair and read the Prayer.
- 2 CONSTRUCTION SAFETY BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to re-enact with Amendments the Law relating to the Use of Scaffolding and certain Machinery and the Safety of Workmen engaged in Building and Construction Work, to amend the ‘Labour and Industry Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 PETITION—HOMOSEXUALITY—The Honorable N. F. Stacey presented a Petition from certain citizens of Victoria praying for the curtailing of all activities in Government schools promoting homosexual behaviour.

Ordered to lie on the Table.

- 4 SUSPENSION OF SESSIONAL ORDERS—The Honorable A. J. Hunt moved, by leave, That Sessional Orders be suspended.

Question—put and resolved in the affirmative.

- 5 PAPERS—

AUSTRALIA-WIDE MINING CORPORATION LIMITED—The Honorable Haddon Storey moved, by leave, That there be laid before this House the Report of the Inspector appointed to investigate the affairs of Australia-Wide Mining Corporation Limited.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honorable Haddon Storey and ordered to lie on the Table.

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CAPITAL MINING AND PROPERTIES LIMITED—The Honorable Haddon Storey moved, by leave, That there be laid before this House the Interim Report and Final Report of the Inspector appointed to investigate the affairs of Capital Mining and Properties Limited.

Question—put and resolved in the affirmative.

The said Reports were thereupon presented by the Honorable Haddon Storey and ordered to lie on the Table.

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The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Country Fire Authority—Report for the year 1977–78.

Land Conservation Council—Final recommendations to the Minister as to the future use of the public land in the Alpine Study Area.

The Honorable W. A. Landeryou moved, That these Papers be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 TRINITY COLLEGE BILL—On the motion of the Honorable Haddon Storey, leave was given to bring a Bill to incorporate Trinity College, being a college affiliated to and connected with the University of Melbourne, to dissolve The Trinity College (Melbourne) Trusts Corporation, to amend the *Janet Clarke Hall Act 1961* and for other purposes.

The President ruled the Bill to be a Private Bill.

The Honorable Haddon Storey moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.

7 POSTPONEMENT OF ORDERS OF THE DAY AND NOTICES OF MOTION—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 6 inclusive, be postponed until later this day.

8 TRADE WASTE TREATMENT AND DISPOSAL—The Order of the Day for the resumption of the debate on the question, That there be a Select Committee of eight members appointed for the purpose of determining methods of treatment and disposal of trade waste appropriate to preservation of the total natural environment of Victoria and the protection of its citizens; the Committee to have power to send for persons, papers and records; three to be the quorum, having been read—

Debate resumed.

Question—put.

The Council divided.

AYES, 8

The Hon. R. J. Eddy  
D. G. Elliott  
J. W. Galbally  
W. A. Landeryou  
H. A. Thomas  
I. B. Trayling (*Teller*)  
D. R. White (*Teller*)  
D. G. Williams

NOES, 24

The Hon. W. R. Baxter  
P. D. Block (*Teller*)  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
S. E. Gleeson  
F. J. Granter  
F. S. Grimwade  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
W. V. Houghton  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. J. Long  
S. R. McDonald  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey (*Teller*)  
Haddon Storey

And so it passed in the negative.

9 M.M.B.W. FINANCES—The Order of the Day for the resumption of the debate on the question, That an Expenditure Review Committee be appointed to examine the finances of the Melbourne and Metropolitan Board of Works (for motion, see page 43 *ante*), having been read—

Debate resumed.

The Honorable Glyn Jenkins moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 10 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 LOCAL GOVERNMENT (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 12 TRINITY COLLEGE BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt, for the Honorable Haddon Storey, moved, That this Bill be now read a second time.

The Honorable D. G. Williams moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 13 CONSTRUCTION SAFETY BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt, for the Honorable Haddon Storey, moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 14 SUPPLY (1979-80, No. 1) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

15. ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Eleven o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-two minutes past Ten o'clock, adjourned until tomorrow at Eleven o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 12—Thursday, 28 June 1979

- 1 The President took the Chair and read the Prayer.
- 2 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act with respect to the licensing of Persons who sell certain Petroleum Products in Victoria, to amend various Acts and for other purposes*”; and desiring the concurrence of the Council therein.  
On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 MONEY LENDERS (FEES) BILL—This Bill was, according to Order, committed to a Committee of the whole.  
House in Committee.  
The President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.  
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 4 EXHIBITION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.  
House in Committee.  
The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.  
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 5 HEALTH (CATTLE) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.  
House in Committee.  
The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 6 VICTORIAN PUBLIC OFFICES CORPORATION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read, and after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 7 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable D. G. Elliot moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 8 POSTPONEMENT OF ORDERS OF THE DAY AND NOTICES OF MOTION—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, and the Notices of Motion, General Business, be postponed until later this day.

- 9 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—The Order of the Day for the resumption of the debate on the question—That the Council take note of the Resolutions adopted at the Australian Constitutional Convention at Perth, 1978, having been read—

Debate resumed.

Question—put and resolved in the affirmative.

- 10 AUSTRALIAN CONSTITUTIONAL CONVENTION—RESOLUTIONS ADOPTED AT PERTH, 1978—The Honorable J. W. Galbally moved, by leave, That the Legislative Council of Victoria approve the Resolutions adopted at the Australian Constitutional Convention at Perth, July 1978, and request the Chief Executive Officer to communicate this approval to the other parties to the Convention and, further, request that the Parliament of the Commonwealth proceed with legislation to implement those Resolutions.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly transmitting the foregoing Resolution and desiring their concurrence therein.

- 11 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 2 to 6 inclusive, be postponed until later this day.

- 12 M.M.B.W. FINANCES—The Order of the Day for the resumption of the debate on the question—That there be an Expenditure Review Committee of eight members appointed to examine as a matter of priority the finances of the Melbourne and Metropolitan Board of Works, having regard in particular to:

(1) the raising and repayment of loans;

(2) the method of preparation of annual revenue estimates; and

(3) the levying of rates based upon the net annual value of property; the Committee to have power to send for persons, papers and records; three to be the quorum, having been read—

Debate resumed.

Question—put.

The Council divided.

AYES, 8

The Hon. R. J. Eddy (*Teller*)  
 D. G. Elliot  
 J. W. Galbally  
 W. A. Landeryou  
 I. B. Trayling  
 J. M. Walton  
 D. R. White  
 D. G. Williams (*Teller*)

NOES, 23

The Hon. W. R. Baxter  
 P. D. Block  
 W. M. Campbell  
 B. A. Chamberlain (*Teller*)  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 S. E. Gleeson (*Teller*)  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey

And so it passed in the negative.

13 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at a quarter past Three o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fourteen minutes past Four o'clock, adjourned until Tuesday next at a quarter past Three o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*





*Mr President takes the Chair at Half past Three o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 TRINITY COLLEGE BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. D. G. Williams*).
- 2 CONSTRUCTION SAFETY BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 3 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 4 MARGARINE (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. H. A. Thomas*).
- \*5 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. D. G. Elliot*).
- 6 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- 7 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- 8 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.
- 3 The Hon. D. N. SALTMARSH—To move, That regulations 7 (2), 203 (4) (a) and (c), and 238 (2) (a) and (c) of the Gas Fitting Regulations 1979 (Statutory Rule No. 121/1979) be disallowed.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.

*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

- 4 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 COUNTRY FIRE AUTHORITY REPORT, 1977–78—To be considered.
- 7 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

\* \* \*

### CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey, and D. G. Williams.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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*Mr President takes the Chair at Three o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. D. G. Elliot*).
- \*2 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- 3 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- 4 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- 5 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.
- 3 The Hon. D. N. SALTMARSH—To move, That regulations 7 (2), 203 (4) (a) and (c), and 238 (2) (a) and (c) of the Gas Fitting Regulations 1979 (Statutory Rule No. 121/1979) be disallowed.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 ELECTORAL COMMISSION BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 6 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 7 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- \*8 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- \*9 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- \*10 ARTS COUNCIL REPORT, 1977-78—To be considered.
- \*11 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- \*12 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- \*13 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- \*14 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- \*15 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

\* \* \*

### CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

### SELECT COMMITTEES

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CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

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PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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*Mr President takes the Chair at Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 CO-OPERATION BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- \*2 MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- \*3 TRANSPORT REGULATION (TRANSPORT EMERGENCIES) BILL—(Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 4 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- 5 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- 6 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- 7 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.
- 3 The Hon. D. N. SALTMARSH—To move, That regulations 7 (2), 203 (4) (a) and (c), and 238 (2) (a) and (c) of the Gas Fitting Regulations 1979 (Statutory Rule No. 121/1979) be disallowed.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.

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*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading.
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- \*15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- \*16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

W. G. FRY  
*President*

\* \* \*

### CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. G. Elliot, D. M. Evans, V. T. Hauser, R. J. Long and I. B. Trayling.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables B. A. Chamberlain, J. W. Galbally and N. B. Reid.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. G. Elliot, D. M. Evans, N. F. Stacey, and D. G. Williams.

PRINTING—The Honorables the President, B. P. Dunn, D. G. Elliot, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. W. Galbally, J. V. C. Guest and W. A. Landeryou.

STATUTE LAW REVISION (JOINT)—The Honorables D. M. Evans, J. V. C. Guest, N. B. Reid, J. M. Walton and D. R. White.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. N. Saltmarsh and D. G. Williams.

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## LEGISLATIVE COUNCIL OF VICTORIA

<h1>MINUTES OF THE PROCEEDINGS</h1>
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## No. 13—Tuesday, 3 July 1979

- 1 The President took the Chair and read the Prayer.
  
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
  - On 29 June 1979—
    - Supply (1979–80, No. 1) Act.*
  - On 3 July 1979—
    - Money Lenders (Fees) Act.*
    - Exhibition (Amendment) Act.*
    - Health (Cattle) Act.*
    - Victorian Public Offices Corporation (Amendment) Act.*
  
- 3 STATE ELECTRICITY COMMISSION (MORWELL LAND COMPENSATION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘State Electricity Commission Act 1958’ to make Provision with respect to the Compensation payable for Land in the vicinity of Morwell and for other Purposes*” and desiring the concurrence of the Council therein.
 

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
  
- 4 YOUTH, SPORT AND RECREATION (STATE YOUTH COUNCIL) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Youth, Sport and Recreation Act 1972’ to increase the membership of the State Youth Council*” and desiring the concurrence of the Council therein.
 

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
  
- 5 RACING (RESTRICTED TROTTING MEETINGS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Racing Act 1958’*” and desiring the concurrence of the Council therein.
 

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.



- 6 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL 1979—The Honorable Haddon Storey made a Ministerial Statement on the Premiers' Conference and Loan Council 1979 and moved, That the Council take note of the Ministerial Statement.

Debate ensued.

The Honorable N. F. Stacey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 7 WILDLIFE (SPRING TRAPS) BILL—On the motion (by leave without notice) of the Honorable J. M. Walton, leave was given to bring in a Bill to amend the *Wildlife Act 1975* to prohibit the Use of certain Steel Jaw Traps in hunting or taking Wildlife, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 8 PAPERS—

SOIL CONSERVATION—The Honorable W. V. Houghton presented, by command of His Excellency the Governor—Report No. 1 of the Commonwealth and State Government Collaborative Soil Conservation Study 1975–77, “A Basis for Soil Conservation Policy in Australia”.

Ordered to lie on the Table.

\* \* \*

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Arts Centre—Report of the Building Committee for the year 1977–78.

Arts Council—Report for the year 1977–78.

Co-operative Housing Societies—Report of the Registrar for the year 1976–77.

Co-operative Societies—Report of the Registrar for the year 1976–77.

Hospitals Superannuation Board—Report for the year 1977–78.

Members of Parliament (Register of Interests) Act 1978—Summary of Returns, May 1979.

Metropolitan Fire Brigades Superannuation Board—Report for the year 1977–78.

Teacher Housing Authority—Report for the year 1977–78.

Town and Country Planning Act 1961—

Kyabram—Town of Kyabram Planning Scheme 1963—Amendment No. 21, 1979.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 38, 1978.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 29.

The Honorable W. A. Landeryou moved—That these reports be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 STATE ELECTRICITY COMMISSION (MORWELL LAND COMPENSATION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable D. G. Elliot moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 10 YOUTH, SPORT AND RECREATION (STATE YOUTH COUNCIL) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 11 RACING (RESTRICTED TROTTING MEETINGS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 12 TRINITY COLLEGE BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 CONSTRUCTION SAFETY BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable W. A. Landeryou moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this House refuses to read this Bill a second time until there has been further consultation with employers and unions associated with the building industry”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter  
 W. M. Campbell  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest  
 H. M. Hamilton (*Teller*)  
 V. T. Hauser  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey

NOES, 8

The Hon. R. J. Eddy (*Teller*)  
 D. G. Elliot  
 W. A. Landeryou  
 H. A. Thomas  
 I. B. Trayling  
 J. M. Walton  
 D. R. White  
 D. G. Williams (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter (*Teller*)

W. M. Campbell

D. G. Crozier

B. P. Dunn

D. M. Evans

S. E. Gleeson

F. J. Granter

F. S. Grimwade

J. V. C. Guest

H. M. Hamilton

V. T. Hauser (*Teller*)

W. V. Houghton

Dr R. W. Howard

Glyn Jenkins

R. I. Knowles

R. J. Long

S. R. McDonald

N. B. Reid

N. F. Stacey

Haddon Storey

NOES, 7

The Hon. R.J. Eddy

D. G. Elliot (*Teller*)

H. A. Thomas (*Teller*)

I. B. Trayling

J. M. Walton

D. R. White

D. G. Williams

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 COMMUNITY WELFARE SERVICES (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 MARGARINE (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 YOUTH, SPORT AND RECREATION (STATE YOUTH COUNCIL) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 RACING (RESTRICTED TROTTING MEETINGS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 STATE ELECTRICITY COMMISSION (MORWELL LAND COMPENSATION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Three o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past Ten o'clock, adjourned until tomorrow at a quarter to Three o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 14—Wednesday, 4 July 1979

- 1 The President took the Chair and read the Prayer.

- 2 TRANSPORT REGULATION (TRANSPORT EMERGENCIES) BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to make provision with respect to the Limitation of the Operation of

Part II. of the *Transport Regulation Act 1958* during certain Transport Emergencies and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 PAPERS—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Teaching Service Act 1958—

Teaching Service (Classification, Salaries and Allowances) Regulations—Amendment No. 479.

Teaching Service (Teachers Tribunal) Regulations—Amendment No. 480.

The Honorable W. A. Landeryou moved, That these regulations be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 POSTPONEMENT OF ORDERS OF THE DAY AND NOTICES OF MOTION—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion and Orders of the Day, General Business, Nos. 1 and 2, be postponed until later this day.

- 5 ELECTORAL COMMISSION BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. A. Landeryou moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

AYES, 8

The Hon. R. J. Eddy  
D. G. Elliot  
W. A. Landeryou  
H. A. Thomas  
I. B. Trayling (*Teller*)  
J. M. Walton  
D. R. White  
D. G. Williams (*Teller*)

NOES, 21

The Hon. W. R. Baxter  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
S. E. Gleeson  
F. J. Granter  
F. S. Grimwade  
J. V. C. Guest  
V. T. Hauser  
W. V. Houghton  
Dr R. W. Howard  
*(Teller)*  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. J. Long  
S. R. McDonald (*Teller*)  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
H. R. Ward

And so it passed in the negative.

- 6 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—The Honorable A. J. Hunt made a Ministerial Statement on Teachers in Excess.

The Honorable D. G. Williams moved, That the Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 CO-OPERATION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Co-operation Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, for the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable D. G. Elliot moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for motor registration fees on vehicles of less than 4·1 tonnes capacity to be reduced by at least one-third from 1 September 1979”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put. The Council divided.

AYES, 19

The Hon. W. R. Baxter  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
S. E. Gleeson  
F. J. Granter  
F. S. Grimwade  
J. V. C. Guest  
W. V. Houghton  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins (*Teller*)  
R. I. Knowles (*Teller*)  
R. J. Long  
S. R. McDonald  
N. B. Reid  
N. F. Stacey  
Haddon Storey  
H. R. Ward

NOES, 8

The Hon. R. J. Eddy (*Teller*)  
D. G. Elliot  
W. A. Landeryou  
H. A. Thomas  
I. B. Trayling (*Teller*)  
J. M. Walton  
D. R. White  
D. G. Williams

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 19

The Hon. W. R. Baxter  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
S. E. Gleeson  
F. J. Granter  
F. S. Grimwade  
J. V. C. Guest  
W. V. Houghton  
Dr R. W. Howard  
A. J. Hunt

NOES, 8

The Hon. R. J. Eddy  
D. G. Elliot (*Teller*)  
W. A. Landeryou  
H. A. Thomas (*Teller*)  
I. B. Trayling  
J. M. Walton  
D. R. White  
D. G. Williams

Glyn Jenkins  
 R. I. Knowles  
 R. J. Long (*Teller*)  
 S. R. McDonald  
 N. B. Reid (*Teller*)  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 9 MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Melbourne and Metropolitan Board of Works Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 CO-OPERATION BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 11 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.

The Honorable D. G. Crozier moved, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 18

The Hon. W. R. Baxter (*Teller*)  
 D. G. Crozier  
 B. P. Dunn  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles

NOES, 8

The Hon. R. J. Eddy  
 D. G. Elliot  
 W. A. Landeryou  
 H. A. Thomas  
 I. B. Trayling  
 J. M. Walton  
 D. R. White (*Teller*)  
 D. G. Williams (*Teller*)

R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 N. F. Stacey (*Teller*)  
 Haddon Storey  
 H. R. Ward

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 TRANSPORT REGULATION (TRANSPORT EMERGENCIES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 13 MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 14 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Eleven o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty minutes past Ten o'clock, adjourned until tomorrow at a quarter to Eleven o'clock.

A. R. B. McDONNELL  
 Clerk of the Legislative Council

## No. 15—Thursday, 5 July 1979

- 1 The President took the Chair and read the Prayer.

- 2 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the Reconstitution of the Albury-Wodonga (Victoria) Corporation, to approve the Albury-Wodonga Area Development Agreement Amendment Agreement (No. 1) made between the Commonwealth and the States of Victoria and New South Wales, to amend the 'Albury-Wodonga Agreement Act 1973' and the 'State Development Decentralization and Tourism Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.



- 3 CEMETERIES (MELBOURNE GENERAL CEMETERY) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend Part III. of the ‘Cemeteries Act 1958’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—On the motion (by leave without notice) of the Honorable A. J. Hunt, leave was given to bring in a Bill to make provision with respect to the Operation and Validity of Certain Planning Schemes, to amend the *Town and Country Planning Act 1961* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Town and Country Planning Act 1961—City of Camberwell Planning Scheme 1954—Amendment No. 48, 1979.

- 6 CO-OPERATION BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 7 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 8 CEMETERIES (MELBOURNE GENERAL CEMETERY) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 9 MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

10 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

11 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable D. R. White moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this House refuses to read this Bill a second time until such time as the House has appointed a Select Committee comprising eight members of this House to investigate all land purchases by the Corporation outside the area designated in pursuance of the *Albury-Wodonga Area Land Acquisition Act 1973* and has reported its findings to the House”.

Debate ensued.

The Honorable S. R. McDonald moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

12 APPRECIATION OF SERVICES—The Honorable A. J. Hunt moved, That this House place on record its keen appreciation of the services of the following retiring Members to the Parliament and people of Victoria:

The Honorable Douglas George Elliot,  
The Honorable William Gordon Fry,  
The Honorable Stanley Edmond Gleeson,  
The Honorable Alexander Wilson Knight,  
The Honorable Stuart Richard McDonald, and  
The Honorable David George Williams.

And other Honorable Members and the President having addressed the House—  
The question was put, and unanimously resolved in the affirmative.

13 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

14 ALBURY-WODONGA AGREEMENT (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time—and on the amendment—That all the words after “That” be omitted with the view of inserting in place thereof “this House refuses to read this Bill a second time until such time as the House has appointed a Select Committee comprising eight members of this House to investigate all land purchases by the Corporation outside the area designated in pursuance of the *Albury-Wodonga Area Land Acquisition Act 1973* and has reported its findings to the House”—having been read—

Debate resumed.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 17

The Hon. D. G. Crozier  
 B. P. Dunn  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest  
 V. T. Hauser  
 W. V. Houghton  
 Dr R. W. Howard  
 (*Teller*)

A. J. Hunt  
 Glyn Jenkins  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 D. N. Saltmarsh (*Teller*)  
 N. F. Stacey  
 Haddon Storey

NOES, 8

The Hon. R. J. Eddy (*Teller*)  
 D. G. Elliot (*Teller*)  
 W. A. Landeryou  
 H. A. Thomas  
 I. B. Trayling  
 J. M. Walton  
 D. R. White  
 D. G. Williams

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole House in Committee.

The President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

15 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until Wednesday, 18 July at Eleven o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-seven minutes past Five o'clock, adjourned until Wednesday, 18 July at Eleven o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*The time fixed for the Meeting of the Council is Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 TRANSPORT REGULATION (TRANSPORT EMERGENCIES) BILL—(*Hon. D. G. Crozier*)  
—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- \*2 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—(*Hon. A. J. Hunt*)  
—Second reading—*Resumption or debate.* (*Hon. W. A. Landeryou*).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- 4 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. W. M. Campbell*).
- 5 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading  
—*Resumption of debate.* (*Hon. W. M. Campbell*).
- 6 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second  
reading—*Resumption of debate.* (*Hon. W. M. Campbell*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His  
Excellency the Governor in Council that the State Development Committee  
be empowered as a matter of priority to examine the cost to the people of  
Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the  
Report of the Director of Consumer Affairs for the year 1977-78.
- 3 The Hon. D. N. SALTMARSH—To move, That regulations 7 (2), 203 (4) (a)  
and (c), and 238 (2) (a) and (c) of the Gas Fitting Regulations 1979  
(Statutory Rule No. 121/1979) be disallowed.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—  
*Resumption of debate.* (*Hon. Haddon Storey*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)  
—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—  
Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second  
reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY  
AREA—To be considered.

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*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading.
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

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## LEGISLATIVE COUNCIL OF VICTORIA

<h1>MINUTES OF THE PROCEEDINGS</h1>
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No. 16—Wednesday, 18 July 1979

- 1 The Council met pursuant to adjournment.
- 2 COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS—The Honorable the Chief Justice, a Commissioner from His Excellency the Governor to administer the Oath or Affirmation prescribed by the twenty-third Section of Act No. 8750, was introduced to the Council Chamber by the Usher of the Black Rod. The Commissioner handed his Commission to the Clerk, who read the same as follows:

By His Excellency the Honorable SIR HENRY ARTHUR WINNEKE, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Officer of the Most Excellent Order of the British Empire, Knight of the Most Venerable Order of Saint John of Jerusalem, One of Her Majesty's Counsel Learned in the Law, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

To the Honorable SIR JOHN MCINTOSH YOUNG, K.C.M.G., Chief Justice of the Supreme Court of the State of Victoria.

GREETING:

WHEREAS by the twenty-third section of the *Constitution Act* 1975, No. 8750, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath or Affirmation set out in the Second Schedule to the aforesaid Act: Now therefore I, the Governor of the State of Victoria, do by these presents command and authorize you to proceed to the Parliament Houses, in the City of Melbourne, on Wednesday, the eighteenth day of July, One thousand nine hundred and seventy-nine at the hour of Eleven o'clock in the forenoon, then and there to administer the said Oath or Affirmation to the several Members of the said Legislative Council.

Given under my hand and the seal of the State of Victoria at Melbourne in the said State this eighteenth day of July, in the year of our Lord One thousand nine hundred and seventy-nine, and in the twenty-eighth year of the reign of Her Majesty Elizabeth the Second, Queen of Australia.

(L.S.)

HENRY WINNEKE

By His Excellency's Command,

R. J. HAMER  
Premier

Entered on record by me in the Register of Patents, Book No. 36, page 316, this eighteenth day of July, One thousand nine hundred and seventy-nine.

R. L. KING  
Secretary to the Ministry for Police and  
Emergency Services

3 RETURNS TO WRITS—The Clerk announced that twenty-two Writs issued under the hand of His Excellency the Governor on 20 March 1979 for the election of Members to serve for the following Provinces had been received from the Official Secretary to His Excellency, and by the indorsements on such Writs it appeared that the following Members had been elected in pursuance thereof:

The Honorable Clive Bubb for the Ballarat Province.

The Honorable John William Storrier Radford for the Bendigo Province.

The Honorable Hilda Gracia Baylor for the Boronia Province.

The Honorable Frederick Sheppard Grimwade for the Central Highlands Province.

The Honorable Daniel Eric Kent for the Chelsea Province.

The Honorable David Ronald White for the Doutta Galla Province.

The Honorable William Montgomery Campbell for the East Yarra Province.

The Honorable Roderick Alexander MacKenzie for the Geelong Province.

The Honorable Richard John Long for the Gippsland Province.

The Honorable Robert Lawson for the Higinbotham Province.

The Honorable Evan Herbert Walker for the Melbourne Province.

The Honorable Giovanni Antonio Sgro for the Melbourne North Province.

The Honorable Joan Marjorie Coxsedge for the Melbourne West Province.

The Honorable Donald Keith Hayward for the Monash Province.

The Honorable William Robert Baxter for the North Eastern Province.

The Honorable Kenneth Irving Wright for the North Western Province.

The Honorable Peter David Block for the Nunawading Province.

The Honorable Alan John Hunt for the South Eastern Province.

The Honorable William Vasey Houghton for the Templestowe Province.

The Honorable Glyde Algernon Surtees Butler for the Thomastown Province.

The Honorable Cyril James Kennedy for the Waverley Province.

The Honorable Digby Glen Crozier for the Western Province.

4 DECLARATION OF ALLEGIANCE—The Honorables W. R. Baxter, H. G. Baylor, P. D. Block, C. Bubb, G. A. S. Butler, W. M. Campbell, J. M. Coxsedge, D. G. Crozier, F. S. Grimwade, D. K. Hayward, W. V. Houghton, A. J. Hunt, C. J. Kennedy, D. E. Kent, R. Lawson, R. J. Long, R. A. MacKenzie, J. W. S. Radford, G. A. Sgro, E. H. Walker and D. R. White approached the Table and took and subscribed the Oath or Affirmation required by law.

The Honorable the Chief Justice attested the Roll, and then withdrew.

5 ELECTION OF PRESIDENT—The Clerk announced that the time had arrived for proceeding to the election of a President of the Council.

The Honorable A. J. Hunt, addressing the Clerk, proposed to the Council for their President the Honorable Frederick Sheppard Grimwade and moved; That the Honorable Frederick Sheppard Grimwade do take the Chair of the Council as President, which motion was seconded by the Honorable F. J. Granter.

The Honorable Frederick Sheppard Grimwade, addressing the Clerk, expressed the high sense he had of the honour proposed to be conferred upon him, and submitted himself to the Council.

The Council then unanimously calling the Honorable Frederick Sheppard Grimwade to the Chair, he was taken out of his place by the Honorable A. J. Hunt and the Honorable F. J. Granter and conducted to the Chair; and, standing on the dais, he returned his acknowledgments to the Council for the great honour that had been conferred upon him, and thereupon he took the Chair of the President.

Then the Honorables A. J. Hunt, W. A. Landeryou, B. P. Dunn and F. J. Granter congratulated the Honorable the President.

The President responded.

The Honorable A. J. Hunt announced that His Excellency the Governor would be pleased to receive the Honorable the President and Members of the Council in the Library of the Parliament House at 11.30 a.m.

[Sitting suspended from 11.24 a.m. until 12.08 p.m.]

6 The President resumed the Chair and read the Prayer.

7 RECEPTION OF THE PRESIDENT BY HIS EXCELLENCY THE GOVERNOR—The President reported that, accompanied by Honorable Members, he had presented himself to His Excellency the Governor as the choice of the Legislative Council, and that His Excellency had addressed him in the following terms:

MR PRESIDENT:

I have much pleasure in congratulating you upon your election to the high and distinguished office of President of the Legislative Council.

The able manner in which you have always discharged the various duties you have undertaken during your long Parliamentary career proves the wisdom of the Honorable Members of the Legislative Council in electing you as their President.

I have every confidence that you will fulfil the duties of that high and important office by holding fast to its age old traditions and customs.

HENRY WINNEKE

Governor of Victoria

18 July 1979

8 COMMISSION TO ADMINISTER OATH OR AFFIRMATION TO MEMBERS—The President announced that he had received from His Excellency the Governor a Commission, which was read by the Clerk, and is as follows:

By His Excellency the Honorable SIR HENRY ARTHUR WINNEKE, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Officer of the Most Excellent Order of the British Empire, Knight of the Most Venerable Order of Saint John of Jerusalem, One of Her Majesty's Counsel Learned in the Law, Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

To the Honorable FREDERICK SHEPPARD GRIMWADE, President of the Legislative Council of the State of Victoria.

GREETING:

WHEREAS by the twenty-third Section of the *Constitution Act* 1975, No. 8750, it is enacted that no Member either of the Legislative Council or the Legislative Assembly shall be permitted to sit or vote therein respectively until he has taken and subscribed before the Governor, or some person authorized by the Governor in that behalf, the Oath or Affirmation set out in the Second Schedule to the aforesaid Act: Now therefore I, the Governor of the State of Victoria, do by these presents command and authorize you from time to time, in the Parliament Houses, in the City of Melbourne, to administer the said Oath or Affirmation to such Members of the said Legislative Council as have not already taken and subscribed the same to Her Majesty Queen Elizabeth the Second since their election to the said Legislative Council.

Given under my hand and the seal of the State of Victoria at Melbourne in the said State this eighteenth day of July, in the year of Our Lord One thousand nine hundred and seventy-nine,



and in the twenty-eighth year of the reign of Her Majesty Elizabeth the Second, Queen of Australia.

(L.S.)

HENRY WINNEKE

By His Excellency's Command,

R. J. HAMER

Premier

Entered on record by me in the Register of Patents, Book No. 36, page 317, this eighteenth day of July, One thousand nine hundred and seventy-nine.

R. L. KING

Secretary to the Ministry for Police and  
Emergency Services

- 9 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, on 10 July 1979, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:

*Community Welfare Services (Amendment) Act.*

*Margarine (Amendment) Act.*

*Youth, Sport and Recreation (State Youth Council) Act.*

*Racing (Restricted Trotting Meetings) Act.*

*State Electricity Commission (Morwell Land Compensation) Act.*

*Construction Safety Act.*

*Business Franchise (Petroleum Products) Act.*

*Albury-Wodonga Agreement (Amendment) Act.*

*City of Melbourne (Re-subdivision) Act.*

*Co-operation Act.*

*Cemeteries (Melbourne General Cemetery) Act.*

*Melbourne and Metropolitan Board of Works (Amendment) Act.*

*River Improvement (Trusts and Valuations) Act.*

*Instruments (Writs) Act.*

*Forests (Reserved Land) Act.*

*Trinity College Act.*

*Revocation and Excision of Crown Reservations Act.*

- 10 PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR—The President reported that, on 13 July 1979, the Honorable W. G. Fry, accompanied by Honorable Members, had waited upon His Excellency the Governor and presented to him the Address of the Legislative Council, adopted on 20 June 1979, in reply to His Excellency's Opening Speech, and that His Excellency the Governor had been pleased to make the following reply:

MR PRESIDENT AND HONORABLE MEMBERS OF THE LEGISLATIVE COUNCIL:

In the name and on behalf of Her Majesty The Queen I thank you for your expressions of loyalty to our Most Gracious Sovereign contained in the address you have just presented to me.

I fully rely on your wisdom in deliberating upon the important measures to be brought under your consideration and I earnestly hope that the results of your labours will be conducive to the advancement and prosperity of this State.

- 11 CHAIRMAN OF COMMITTEES—The Honorable A. J. Hunt moved, That the Honorable William Montgomery Campbell be appointed Chairman of Committees of the Council.

Question—put and resolved in the affirmative.

- 12 TEMPORARY CHAIRMEN OF COMMITTEES—The President laid upon the Table the following Warrant nominating Temporary Chairmen of Committees:

LEGISLATIVE COUNCIL

VICTORIA

Pursuant to the provisions of the Standing Order of the Legislative Council numbered 160, I do hereby nominate—

The Honorable Peter David Block;  
 The Honorable Bruce Anthony Chamberlain;  
 The Honorable David Mylor Evans;  
 The Honorable Vernon Thomas Hauser;  
 The Honorable Richard John Long;  
 The Honorable Ivan Barry Trayling; and  
 The Honorable John Malcolm Walton—

to act as Temporary Chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

Given under my hand this eighteenth day of July, One thousand nine hundred and seventy-nine.

FRED S. GRIMWADE

President of the Legislative Council

- 13 COMPANY TAKE-OVERS COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables B. A. Chamberlain and N. B. Reid be discharged from attendance upon the Company Take-overs Committee and that the Honorables R. Lawson, J. W. S. Radford and R. A. MacKenzie be added to such Committee.  
 Question—put and resolved in the affirmative.
- 14 LIBRARY COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables the President, C. J. Kennedy and G. A. Sgro be members of the Joint Committee to manage the Library.  
 Question—put and resolved in the affirmative.
- 15 PRINTING COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables the President and G. A. S. Butler be members of the Printing Committee.  
 Question—put and resolved in the affirmative.
- 16 STANDING ORDERS COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell and E. H. Walker be members of the Select Committee on the Standing Orders of the House.  
 Question—put and resolved in the affirmative.
- 17 STATUTE LAW REVISION COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorable Joan Coxsedg be a member of the Statute Law Revision Committee.  
 Question—put and resolved in the affirmative.
- 18 SUBORDINATE LEGISLATION COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorable D. E. Kent be a member of the Subordinate Legislation Committee.  
 Question—put and resolved in the affirmative.
- 19 PUBLIC WORKS COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables W. R. Baxter and R. J. Long be members of the Public Works Committee.  
 Question—put and resolved in the affirmative.

- 20 STATE DEVELOPMENT COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorable D. R. White be a member of the State Development Committee.

Question—put and resolved in the affirmative.

- 21 MESSAGES FROM THE LEGISLATIVE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and notifying agreement to the same without amendment:

City of Melbourne (Re-subdivision) Bill;  
 River Improvement (Trusts and Valuations) Bill;  
 Instruments (Writs) Bill;  
 Forests (Reserved Land) Bill;  
 Revocation and Excision of Crown Reservations Bill; and  
 Trinity College Bill.

- 22 TATTERSALL CONSULTATIONS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend section 6 of the 'Tattersall Consultations Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 23 LOCAL GOVERNMENT (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.

Ordered—That the amendments be taken into consideration later this day.

- 24 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—The Honorable A. J. Hunt made a Ministerial Statement on the Co-ordination of Advanced Education in Victoria.

The Honorable W. A. Landeryou moved, That the Ministerial Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 25 MATTERS FOR MINISTERIAL CONSIDERATION—The Honorable A. J. Hunt moved, by leave, That issues raised by new Members be duly noted and referred to appropriate Ministers for consideration.

Debate ensued.

The Honorable D. K. Hayward moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 26 TEMPORARY RELIEF TO PRESIDENT AND DEPUTY PRESIDENT—The Honorable A. J. Hunt moved, by leave, That during any absence of the Deputy President, the President be authorized to call upon any of the Temporary Chairmen of Committees to temporarily relieve him in the Chair, and that during any absence of the President, the Deputy President be similarly authorized to call upon any of the Temporary Chairmen.

Question—put and resolved in the affirmative.

- 27 PETITION—OFFENSIVE TRADE IN RICHMOND—The Honorable I. B. Trayling presented a Petition from citizens of the City of Richmond who, believing that negotiations between Protean Holdings Limited and the City Corporation may result in the expansion of an offensive trade, pray that the House enquire into the affairs and government of the City of Richmond with a view to protecting the interests, health and property of its citizens.

Ordered to lie on the Table.

The Honorable A. J. Hunt moved, That the Petition be taken into consideration on the next day of meeting.

Question—put.

The Council divided.

AYES, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block (*Teller*)  
 C. Bubb  
 W. M. Campbell  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest (*Teller*)  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward

NOES, 13

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy (*Teller*)  
 C. J. Kennedy  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.

The President said:

On the presentation of that Petition to the House by the Honorable Mr Trayling, the Honorable the Leader of the House moved that it be taken into consideration on the next day of meeting. This motion was opposed by the Honorable Mr Trayling who requested that a Division be taken. The result of the Division was Ayes, 25; Noes, 13; and I declared the motion carried.

Honorable Members would expect from the foregoing proceeding that the matter would be set down on the Notice Paper in the usual manner. However, my attention has been drawn to Standing Order No. 259 which states:

Every such petition not containing matter in breach of the privileges of the Council, and which according to the rules or usual practice of the Council can be received, shall be handed to the Clerk at the Table, and the President shall not allow any debate upon or in relation to such petition; but it may be read by the Clerk if required.

In view of the wording of the Standing Order, I have directed the Clerk that the Order for the consideration of the Petition be not included on the next Notice Paper of this House.

- 28 LOCAL GOVERNMENT (AMENDMENT) BILL—The Order of the Day for the consideration of the amendments made by the Assembly in this Bill having been read, the said amendments were read and are as follows:

1 Clause 5, line 18, after that line insert the following sub-section:

“(4) Each member shall be paid such remuneration and expenses as are fixed by the Governor in Council.”

2 Insert the following new clause to follow clause 16:

‘AA. (1) In section 555A of the Principal Act—

(a) in sub-section (2) after the word “fees” (where second occurring); and

(b) in sub-section (2A) after the word “fees”—

there shall be inserted the expression “[other than a fee referred to in paragraph (c) of sub-section (1)]”.

(2) Sub-sections (2) and (2A) of section 555A of the Principal Act as amended by this section shall be deemed to have come into operation on 1 June 1974, and those sub-sections shall be read and construed accordingly.’

On the motion of the Honorable D. G. Crozier and after debate, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 29 TATTERSALL CONSULTATIONS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable D. R. White moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this House refuses to read this Bill a second time until an all-party Select Committee of this House has examined and reported upon the cost of administration of Tattersall Consultations and on the distribution of moneys payable to the trustees of the will and estate of the late George Adams”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put. The Council divided.

AYES, 24

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 (Teller)  
 V. T. Hauser (Teller)

NOES, 12

The Hon. G. A. S. Butler  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. MacKenzie  
 G. A. Sgro  
 H. A. Thomas (Teller)  
 I. B. Trayling (Teller)  
 E. H. Walker  
 J. M. Walton  
 D. R. White

D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

30 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Health—Report of the Commission of Public Health for the year 1977–78.

Land Conservation Council—Report for the year 1978–79.

Teaching Service Act 1958—Teaching Service (Teachers Tribunal) Regulations—Amendment No. 481.

Town and Country Planning Act 1961—

Croydon—City of Croydon Planning Scheme 1961—Amendment No. 74.

Echuca—City of Echuca Planning Scheme—Amendment No. 37.

Knox—City of Knox Planning Scheme 1965—Amendments No. 178, 1977 and No. 193, 1978.

Melbourne Metropolitan Planning Scheme—Amendments Nos. 83, Part 3A, with map (two papers); and 88, Part 1A with maps (twenty-seven papers).

The Honorable W. A. Landeryou moved, That the reports be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

31 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honorable Member by telegram or letter.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-eight minutes past Six o'clock, adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honorable Member by telegram or letter.

A. R. B. McDONNELL  
 Clerk of the Legislative Council



*Mr. President takes the Chair at a Quarter to Five o'clock.*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 TRANSPORT REGULATION (TRANSPORT EMERGENCIES) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 2 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- \*4 MATTERS FOR MINISTERIAL CONSIDERATION—MOTION FOR REFERRAL OF ISSUES RAISED BY MEMBERS—(*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. K. Hayward*).
- †5 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †6 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †7 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.
- 3 The Hon. D. N. SALTMARSH—To move, That regulations 7 (2), 203 (4) (a) and (c), and 238 (2) (a) and (c) of the Gas Fitting Regulations 1979 (Statutory Rule No. 121/1979) be disallowed.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.



- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading.
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- \*17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- \*18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- \*19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

#### \* \* \*

### CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

- \*CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.  
 \*TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

- \*COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. MacKenzie and J. W. S. Radford.  
 CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.  
 HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.  
 \*LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.  
 \*PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles and N. F. Stacey.  
 ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.  
 \*STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.  
 \*STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxside, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.  
 \*SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

\* \* \*

*Mr President takes the Chair at a Quarter past Four o'clock*

# LEGISLATIVE COUNCIL

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.
- 2 The Hon. W. A. LANDERYOU—To move, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.
- \*3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.

## GOVERNMENT BUSINESS

### Orders of the Day

- \*1 TRANSFER OF LAND (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading.
- \*2 CONSTITUTIONAL POWERS (COASTAL WATERS) BILL—(Hon. Haddon Storey)—Second reading.
- 3 TRANSPORT REGULATION (TRANSPORT EMERGENCIES) BILL—(Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 4 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- †5 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †6 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †7 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).

## GENERAL BUSINESS

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading.
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.

**TUESDAY, 25 SEPTEMBER 1979**

**GOVERNMENT BUSINESS**

**Orders of the Day**

- 1 MATTERS FOR MINISTERIAL CONSIDERATION—MOTION FOR REFERRAL OF ISSUES RAISED BY MEMBERS—(*Hon. A. J. Hunt*)—Resumption of debate. (*Hon. Joan Coxsedge*).
- \*2 CRIMES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- \*3 MELBOURNE COLLEGE OF DIVINITY BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- \*4 SEWERAGE AUTHORITIES (CONSTITUTION AND POWERS) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).
- \*5 WATER AUTHORITIES (CONSTITUTION AND POWERS) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

\* \* \*

# MINUTES OF THE PROCEEDINGS

## No. 17—Tuesday, 18 September 1979

- 1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at half-past Four o'clock as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 DECLARATION OF ALLEGIANCE—The Honorable Kenneth Irving Wright, having been elected for the North-Western Province in pursuance of a Writ issued on 20 March 1979, approached the Table and took and subscribed the Oath required by law.
- 4 THE LATE HONORABLE ARCHIBALD McDONALD FRASER—The Honorable A. J. Hunt moved, That this House place on record its deep regret at the death, on 30 August 1979, of the Honorable Archibald McDonald Fraser, a former Member of this House, and its keen appreciation of the long and valuable services rendered by him to the Parliament and the people of Victoria as a Member for the Melbourne North Province and a Minister of the Crown.  
And other Honorable Members and the President having addressed the House—  
The question was put and, Honorable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.
- 5 ADJOURNMENT—The Honorable A. J. Hunt moved, That, as a further mark of respect to the memory of the late Honorable Archibald McDonald Fraser, the House do now adjourn until Eight o'clock this day.  
Question—put and resolved in the affirmative.

And then the Council, at fifty-nine minutes past Four o'clock, adjourned until Eight o'clock this day.

\* \* \*

- 1 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, on 24 July 1979, given the Royal assent to the undermentioned Acts presented to him by the Clerk-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments, viz.:  
*Local Government (Amendment) Act.*  
*Tattersall Consultations (Amendment) Act.*
- 2 STATE DEVELOPMENT COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorable K. I. Wright be a member of the State Development Committee.  
Question—put and resolved in the affirmative.
- 3 PRINTING COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorable K. I. Wright be a member of the Printing Committee.  
Question—put and resolved in the affirmative.

- 4 MELBOURNE COLLEGE OF DIVINITY BILL—On the motion (by leave without notice) of the Honorable A. J. Hunt, leave was given to bring in a Bill to amend the *Melbourne College of Divinity Act 1910* and for other purposes.
- The President ruled the Bill to be a Private Bill.
- The Honorable A. J. Hunt moved, That this Bill be dealt with as a Public Bill.
- Question—put and resolved in the affirmative.
- The Honorable A. J. Hunt moved, That this Bill be now read a first time.
- Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 CRIMES (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to amend the *Crimes Act 1958*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 TRANSFER OF LAND (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to amend the *Transfer of Land Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 7 CONSTITUTIONAL POWERS (COASTAL WATERS) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to request the Parliament of the Commonwealth to enact an Act to extend the legislative Powers of the States in and in relation to Coastal Waters, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 8 SEWERAGE AUTHORITIES (CONSTITUTION AND POWERS) BILL—On the motion (by leave without notice) of the Honorable F. J. Granter, leave was given to bring in a Bill to make further Provision with respect to the Constitution and Powers of Sewerage Authorities, to amend the *Sewerage Districts Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 9 WATER AUTHORITIES (CONSTITUTION AND POWERS) BILL—On the motion (by leave without notice) of the Honorable F. J. Granter, leave was given to bring in a Bill to amend the *Water Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 10 PAPERS—
- The Honorable Haddon Storey presented, by command of His Excellency the Governor—
- Supreme Court—Report of the Judges for the year 1978.
- Ordered to lie on the Table.

\* \* \*

SUBORDINATE LEGISLATION COMMITTEE—GAS FITTING REGULATIONS—The Honorable D. N. Saltmarsh presented a Report from the Subordinate Legislation Committee upon the Gas Fitting Regulations 1979 (Statutory Rule No. 121/1979).

Ordered to lie on the Table.

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Education—Statement of Guarantees executed by the Treasurer in respect of educational institutions for the year 1978–79.

Education Act 1958—Resumption of land at Horsham West—Certificate of the Minister of Education.

Exhibition Trustees—Report for the year 1978–79.

Explosives—Report of the Chief Inspector for the year 1977.

Inflammable Liquids—Report of the Chief Inspector for the year 1977.

Labour and Industry Department—Report for the year 1978.

Marketing of Primary Products Act 1958—Proclamation declaring that eggs shall become the property of the Victorian Egg Marketing Board for a further period of two years.

Members of Parliament (Register of Interests) Act 1978—Summaries of Returns, June and July 1979 (two papers).

Parliamentary Officers Act 1975—

Statements of appointments and alterations of classification in the departments of the Legislative Council, the Legislative Assembly, the Library, the Reporting Staff of the Victorian Parliamentary Debates, and the Legislative Council and Legislative Assembly House Committee (five papers).

Statements of persons temporarily employed in the departments of the Legislative Council, the Legislative Assembly, the Library, the Reporting Staff of the Victorian Parliamentary Debates, and the Legislative Council and Legislative Assembly House Committee (five papers).

Poisons Act 1962—Proclamation of 14 August 1979 amending Schedules to the Act.

Police Service Board—Determination No. 307.

Railways Board—Report for the quarter ended 30 June 1979.

Science Museum—Report of the Council for the year 1977–78.

Statutory Rule under the prerogative powers of the Crown—Appointment of Her Majesty's Counsel (Amendment) Regulations 1979—No. 261.

Statutory Rules under the following Acts of Parliament:

Agricultural Colleges Act 1958—No. 247.

Boilers and Pressure Vessels Act 1970—Nos. 255, 290, 335 and 336.

Business Franchise (Petroleum Products) Act 1979—No. 292.

Business Names Act 1962—No. 314.

Cattle Compensation Act 1967—No. 192.

Cemeteries Act 1958—No. 310.

Charities Act 1978—No. 191.

Closer Settlement Act 1938—No. 246.

Coal Mines Act 1958—No. 270.

Consumer Affairs Act 1972—Nos. 202 and 328.

Co-operative Housing Societies Act 1958—No. 291.

Country Fire Authority Act 1958—Nos. 177, 224, 259 and 281.

Country Roads Act 1958—No. 235.

County Court Act 1958—Nos. 276 and 315.

Dandenong Valley Authority Act 1963—No. 178.

Dental Technicians Act 1972—No. 209.

Dried Fruits Act 1958—No. 214.

Environment Protection Act 1970—Nos. 221 and 258.

Estate Agents Act 1958—No. 210.

Statutory Rules under the following Acts of Parliament (*continued*):

- Evidence Act 1958—No. 275.
- Explosives Act 1960—No. 296.
- Extractive Industries Act 1966—Nos. 271 and 272.
- Fertilizers Act 1974—No. 306.
- Finance Brokers Act 1969—No. 316.
- Fisheries Act 1968—Nos. 173, 179, 180 and 274.
- Forests Act 1958—Nos. 174 and 280.
- Groundwater Act 1969—Nos. 198 and 320.
- Hairdressers Registration Act 1958—No. 199.
- Health Act 1958—Nos. 309, 311 to 313 and 319.
- Hospitals Superannuation Act 1965—No. 208.
- Industrial Training Act 1975—Nos. 229 to 233, 321, 324 to 327 and 329.
- Inflammable Liquids Act 1966—No. 295.
- Labour and Industry Act 1958—No. 201.
- Land Act 1958—No. 249.
- Legal Profession Practice Act 1958—Nos. 190 and 251.
- Lifts and Cranes Act 1967—Nos. 228, 333 and 334.
- Local Government Act 1958—Nos. 278, 279 and 298 to 301.
- Lotteries Gaming and Betting Act 1966—No. 253.
- Magistrates' Courts Act 1971, Magistrates (Summary Proceedings) Act 1975 and Landlord and Tenant Act 1958—No. 317.
- Marine Act 1958—Nos. 222, 223, 237, 239, 240, 242 to 245 and 286 to 289.
- Melbourne and Metropolitan Board of Works Act 1958—Nos. 182 to 184, 189, 193 to 195, 254 and 302.
- Milk and Dairy Supervision Act 1958—Nos. 294 and 303.
- Mines Act 1958—Nos. 264 to 268, 273 and 293.
- Mining Development Act 1958—No. 269.
- Motor Car Act 1958—Nos. 196, 238 and 282.
- Mt. Hotham Alpine Resort Act 1972—No. 248.
- National Parks Act 1975—No. 172.
- Pay-roll Tax Act 1971—No. 219.
- Pesticides Act 1958—No. 304.
- Pipelines Act 1967—Nos. 262 and 263.
- Portland Harbor Trust Act 1958—No. 257.
- Port of Melbourne Authority Act 1958—No. 216.
- Post-Secondary Education Act 1978—Nos. 220 and 252.
- Public Authorities Marks Act 1958—No. 217.
- Public Service Act 1974—Nos. 203 and 225 to 227; PSD Nos. 33 to 40, 43 to 58 and 61 to 63.
- Racing Act 1958—Nos. 283 and 285.
- Scaffolding Act 1971—Nos. 330 to 332.
- Second-hand Dealers Act 1958—Nos. 181 and 284.
- Shearers Accommodation Act 1976—No. 176.
- State Electricity Commission Act 1958—No. 218.
- Stock (Artificial Breeding) Act 1962—Nos. 236 and 338.
- Stock Diseases Act 1968—No. 339.
- Stock Foods Act 1958—No. 305.
- Stock Medicines Act 1958—No. 337.
- Supreme Court Act 1958—Nos. 204, 205 and 318.
- Supreme Court Act 1958—Legal Profession Practice Act 1958—No. 186.
- Supreme Court Act 1958—Market Court Act 1978—No. 187.
- Tattersall Consultations Act 1958—No. 207.
- Teaching Service Act 1958—Nos. 171 and 234.
- Tobacco Leaf Industry Stabilization Act 1966—No. 250.

Statutory Rules under the following Acts of Parliament (*continued*):

- Tomato Processing Industry Act 1976—No. 256.
- Town and Country Planning Act 1961—No. 260.
- Valuation of Land Act 1960—No. 323.
- Vegetation and Vine Diseases Act 1958—Nos. 215 and 308.
- Water Act 1958—Nos. 200 and 212.
- Weights and Measures Act 1958—Nos. 206 and 277.
- West Moorabool Water Board Act 1968—No. 197.
- Zoological Parks and Gardens Act 1967—No. 297.

## Teaching Service Act 1958—

- Teaching Service (Classification, Salaries and Allowances) Regulations—Amendments Nos. 483 to 488, 490, 492 and 493.
- Teaching Service (Teachers Tribunal) Regulations—Amendments Nos. 482, 489 and 491.

## Town and Country Planning Act 1961—

- Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 6, 1978.
- Ballaarat and District Planning Scheme—Amendments No. G and No. 13, 1978 (Borough of Sebastopol).
- Bulla—Shire of Bulla Planning Scheme—Amendment No. 77.
- Echuca—City of Echuca Planning Scheme—Amendment No. 39, 1978.
- Horsham—City of Horsham Planning Scheme 1973—Amendment No. 48, 1978.
- Kilmore—Shire of Kilmore Planning Scheme—Amendment No. 34, 1979.
- Knox—City of Knox Planning Scheme 1965—Amendment No. 203, 1978.
- Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments No. 75, 1977 and No. 114, 1979.
- Melbourne Metropolitan Planning Scheme—Amendments No. 30; No. 90, Part 1A, with maps (twenty-two papers); and No. 124, with map (two papers).
- Moe—City of Moe Planning Scheme 1966—Amendment No. 52, 1978.
- Port Fairy Planning Scheme 1959—Amendments Nos. 5 and 6, 1978.
- Rosedale—Shire of Rosedale Planning Scheme—Amendment No. 12.
- Sale—City of Sale Planning Scheme—Amendment No. 5B.
- Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 21.
- Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 14, 1979.
- Werribee—Shire of Werribee Planning Scheme—Amendment No. 64.

Victorian Public Offices Corporation Act 1974—Report of exercise of powers by the Corporation pursuant to sub-section (2) of section 9.

11: POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

12: MATTERS FOR MINISTERIAL CONSIDERATION—The Order of the Day for the resumption of the debate on the question, That issues raised by new Members be duly noted and referred to appropriate Ministers for consideration, having been read—

Debate resumed.

The Honorable Joan Coxsedge moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.



- 13 MELBOURNE COLLEGE OF DIVINITY BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable D. E. Kent moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 14 CRIMES (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 15 SEWERAGE AUTHORITIES (CONSTITUTION AND POWERS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 16 WATER AUTHORITIES (CONSTITUTION AND POWERS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 17 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 18 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Four o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirteen minutes past Ten o'clock, adjourned until tomorrow at Four o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 18—Wednesday, 19 September 1979

- 1 The President took the Chair and read the Prayer.
- 2 TITLE OF "HONORABLE"—The President announced that advice had been received from the Honorable the Premier intimating that Her Majesty the Queen had been pleased to approve the retention of the title of "Honorable" by Mr Douglas George Elliot, Mr William Gordon Fry, Mr Stanley Edmond Gleeson, Mr Alexander Wilson Knight, and Mr Stuart Richard McDonald, each of whom had served as a Member of the Legislative Council for a continuous period of not less than ten years.
- 3 TRANSPORT REGULATION (TRANSPORT EMERGENCIES) BILL—DISCHARGE OF ORDER OF THE DAY—The Honorable D. G. Crozier moved, by leave, That the Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, be read and discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

### 4 PAPERS—

SUBORDINATE LEGISLATION COMMITTEE—CONSOLIDATION OF REGULATIONS—The Honorable D. N. Saltmarsh presented a Report from the Subordinate Legislation Committee upon the consolidation of the Police Regulations 1957 and the Motor Car Regulations 1966.

Ordered to lie on the Table.

\* \* \*

The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961—

Flinders—Shire of Flinders Planning Scheme 1962—Amendment No. 103, 1979.

Rosedale—Shire of Rosedale Planning Scheme—Amendment No. 9, 1978.

Stawell—Town of Stawell Planning Scheme—Amendment No. 17.

Swan Hill—Shire of Swan Hill (Castle Donnington) Planning Scheme—Amendment No. 5, 1979.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 36, 1979.

- 5 PROPOSED ALCOA ALUMINIUM SMELTER AT PORTLAND—The Honorable D. R. White moved, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to examine the cost to the people of Victoria of locating the proposed Alcoa aluminium smelter at Portland.

Debate ensued.

The Honorable D. G. Crozier moved, as an amendment, That all the words after "That this House" be omitted with the view of inserting in place thereof "endorses the action of the Government in facilitating the location of the proposed Alcoa aluminium smelter at Portland and congratulates the Government on the initiative it has taken in furtherance of its stated policies of balanced development of this State in the interest of the people of Victoria".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.  
The Council divided.

AYES, 13

The Hon. G. A. S. Butler  
Joan Coxsedg  
R. J. Eddy (*Teller*)  
C. J. Kennedy (*Teller*)  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

NOES, 26

The Hon. W. R. Baxter  
H. G. Baylor (*Teller*)  
P. D. Block (*Teller*)  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
H. R. Ward

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That this House endorses the action of the Government in facilitating the location of the proposed Alcoa aluminium smelter at Portland and congratulates the Government on the initiative it has taken in furtherance of its stated policies of balanced development of this State in the interest of the people of Victoria—put and resolved in the affirmative.

- 6 GEELONG REGIONAL COMMISSION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Geelong Regional Commission Act 1977'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—The Honorable W. A. Landeryou moved, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78.

Debate ensued.

The Honorable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 8 PHARMACISTS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Pharmacists Act 1974’ to increase the maximum levels at which various fees payable under the Act may be fixed by Regulations*” and desiring the concurrence of the Council therein.  
On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 9 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Legal Profession Practice Act 1958’, and for other purposes*” and desiring the concurrence of the Council therein.  
On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 10 BARLEY MARKETING (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make Provision with respect to the Price to be paid for Barley and for other purposes*” and desiring the concurrence of the Council therein.  
On the motion of the Honorable D. G. Crozier, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 11 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, General Business, No. 3, be postponed until later this day.
- 12 TRANSFER OF LAND (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, The Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable R. J. Eddy, for the Honorable H. A. Thomas, moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 13 CONSTITUTIONAL POWERS (COASTAL WATERS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable R. A. Mackenzie moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 14 GEELONG REGIONAL COMMISSION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.  
The Honorable R. A. Mackenzie moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 15 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable G. A. Sgro moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.

- 16 **BARLEY MARKETING (AMENDMENT) BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier, for the Honorable W. V. Houghton, moved, That this Bill be now read a second time. The Honorable D. E. Kent moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until Tuesday next.
- 17 **PHARMACISTS (AMENDMENT) BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey, for the Honorable W. V. Houghton, moved, That this Bill be now read a second time. The Honorable C. J. Kennedy moved, That the debate be now adjourned. Question—That the debate be now adjourned—put and resolved in the affirmative. Ordered—That the debate be adjourned until Tuesday next.
- 18 **ADJOURNMENT**—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at half-past Four o'clock. Question—put and resolved in the affirmative. The Honorable A. J. Hunt moved, That the House do now adjourn. Debate ensued. Question—put and resolved in the affirmative.

And then the Council, at twenty-five minutes past Ten o'clock, adjourned until Tuesday next at half-past Four o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at a Quarter to Five o'clock.*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*2 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to investigate and report upon all aspects of the operations of the State Development Department, including the Victorian Government Travel Authority and the Victorian Development Corporation.

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 MATTERS FOR MINISTERIAL CONSIDERATION—MOTION FOR REFERRAL OF ISSUES RAISED BY MEMBERS—(*Hon. A. J. Hunt*)—Resumption of debate. (*Hon. Joan Coxsedge*).
- 2 CRIMES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—Resumption of debate. (*Hon. W. A. Landeryou*).
- 3 MELBOURNE COLLEGE OF DIVINITY BILL—(*Hon. A. J. Hunt*)—Second reading—Resumption of debate. (*Hon. D. E. Kent*).
- 4 SEWERAGE AUTHORITIES (CONSTITUTION AND POWERS) BILL—(*Hon. F. J. Granter*)—Second reading—Resumption of debate. (*Hon. D. R. White*).
- 5 WATER AUTHORITIES (CONSTITUTION AND POWERS) BILL—(*Hon. F. J. Granter*)—Second reading—Resumption of debate. (*Hon. D. R. White*).
- 6 TRANSFER OF LAND (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—Resumption of debate. (*Hon. H. A. Thomas*).
- 7 CONSTITUTIONAL POWERS (COASTAL WATERS) BILL—(*Hon. Haddon Storey*)—Second reading—Resumption of debate. (*Hon. R. A. Mackenzie*).
- \*8 GEELONG REGIONAL COMMISSION (AMENDMENT) BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading—Resumption of debate. (*Hon. R. A. Mackenzie*).
- \*9 PHARMACISTS (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—Resumption of debate. (*Hon. C. J. Kennedy*).

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- \*10 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. G. A. Sgro).
- \*11 BARLEY MARKETING (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. D. E. Kent).
- 12 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- †13 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †14 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †15 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).

## GENERAL BUSINESS

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading.
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- \*20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—Resumption of debate. (Hon. Haddon Storey).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

*Mr President takes the Chair at Two o'clock*

## LEGISLATIVE COUNCIL

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. D. R. WHITE—To move, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to investigate and report upon all aspects of the operations of the State Development Department, including the Victorian Government Travel Authority and the Victorian Development Corporation.

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 CONSTITUTIONAL POWERS (COASTAL WATERS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 2 TRANSFER OF LAND (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. H. A. Thomas).
- \*3 WRONGS (DEFAMATION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 4 BARLEY MARKETING (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- 5 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- †6 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †7 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †8 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).

### GENERAL BUSINESS

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.



- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading.
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—Resumption of debate. (Hon. Haddon Storey).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

MINUTES OF THE PROCEEDINGS

No. 19—Tuesday, 25 September 1979

- 1 The President took the Chair and read the Prayer.
- 2 WRONGS (DEFAMATION) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to amend the *Wrongs Act* 1958 in relation to Defamatory Words and Libel, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 PRAHRAN MARKET BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to confirm certain actions of the City of Prahran in relation to the Prahran Market and for other purposes.

The President ruled the Bill to be a Private Bill.  
 The Honorable D. G. Crozier moved, That this Bill be dealt with as a Public Bill.  
 Question—put and resolved in the affirmative.  
 The Honorable D. G. Crozier moved, That this Bill be now read a first time.  
 Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Poisons Act 1962—Proclamation of 11 September 1979 amending Schedules to the Act.
  - Teaching Service Act 1958—Teaching Service (Teachers Tribunal) Regulations—Amendment No. 494.
  - Town and Country Planning Act 1961—
    - Werribee—Shire of Werribee Planning Scheme 1963—Amendment No. 60, 1978.
    - Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 33, 1978.

- 5 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Notices of Motion, General Business, and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

- 6 MELBOURNE COLLEGE OF DIVINITY BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.  
 House in Committee.  
 The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 7 SEWERAGE AUTHORITIES (CONSTITUTION AND POWERS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 8 MATTERS FOR MINISTERIAL CONSIDERATION—The Order of the Day for the resumption of the debate on the question, That issues raised by new Members be duly noted and referred to appropriate Ministers for consideration, having been read—
- Debate resumed.
- Question—put and resolved in the affirmative.
- 9 CRIMES (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 10 PRAHRAN MARKET BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 11 WRONGS (DEFAMATION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable W. A. Landeryou moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 12 WATER AUTHORITIES (CONSTITUTION AND POWERS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until the next day of meeting.

- 14 GEELONG REGIONAL COMMISSION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 PHARMACISTS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 LEGAL PROFESSION PRACTICE (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-seven minutes past Ten o'clock, adjourned until tomorrow at a quarter to Two o'clock.

## No. 20—Wednesday, 26 September 1979

- 1 The President took the Chair and read the Prayer.
- 2 PRAHRAN MARKET BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same without amendment.
- 3 STANDING ORDERS COMMITTEE—The Honorable B. A. Chamberlain moved, by leave, That the Standing Orders Committee be required to investigate and report upon the need for additional Standing Orders to provide:
  - (a) for oral questions without notice for a period of 15 minutes each sitting day;
  - (b) a procedure enabling the Council to discuss definite matters of urgent public importance;
  - (c) that urgency motions have precedence over motions under Standing Order No. 53;
  - (d) that, where only one Member calls for a division, he may have his dissent recorded;
  - (e) that, upon the completion of the second reading of a Bill, the Council may proceed to the third reading unless some Member desires to raise a matter in Committee; and
  - (f) that Ministerial Statements have precedence over motions under Standing Order No. 53 and urgency motions.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered, after debate—That the debate be adjourned until the next day of meeting.

- 4 SUBORDINATE LEGISLATION COMMITTEE REPORT—CONSOLIDATION OF REGULATIONS—The Honorable D. N. Saltmarsh moved, by leave, That the Council, later this day, take note of the Report of the Subordinate Legislation Committee upon Consolidation of the Police Regulations 1957 and the Motor Car Regulations 1966.

Question—put and resolved in the affirmative.

- 5 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—On the motion (by leave without notice) of the Honorable H. M. Hamilton, leave was given to bring in a Bill to amend the *Health Act* 1958 for the Purpose of imposing Restrictions on the Advertising of Alcoholic Beverages, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

### 6 PETITIONS—

PRESTON EAST HIGH SCHOOL—The Honorable R. J. Eddy presented a Petition from certain parents or guardians of students at Preston East High School praying that at least one extra teacher of English as a second language be appointed to that school.

Ordered to lie on the Table.

\* \* \*

ECHUCA TECHNICAL SCHOOL—The Honorable N. B. Reid presented a Petition from certain citizens of Victoria praying that action be taken to abolish the Education Department decision to limit the intake of Echuca Technical School from within a radius of 16 kilometres from Echuca.

Ordered to lie on the Table.

- 7 PAPERS—The following Papers, pursuant to the directions of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts of Parliament:

Education Act 1958—Nos. 341 and 343.  
 Forests Act 1958—No. 344.  
 Friendly Societies Act 1958—No. 349.  
 Geelong Harbor Trust Act 1958—No. 353.  
 Health Act 1958—Nos. 345, 346, 348 and 352.  
 Poisons Act 1962—No. 355.  
 Public Service Act 1974—PSD Nos. 64 to 67.  
 Railways Act 1958—No. 340.  
 Rural Finance and Settlement Commission Act 1961—No. 350.  
 Second-hand Dealers Act 1958—No. 351.  
 Seeds Act 1971—No. 307.  
 Supreme Court Act 1958—No. 347.  
 Valuation of Land Act 1960—No. 322.  
 Water Act 1958—No. 342.

- 8 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the Notices of Motion, General Business, the Orders of the Day, Government Business, and Orders of the Day, General Business, Nos. 1 to 6 inclusive, be postponed until later this day.

- 9 WILDLIFE (SPRING TRAPS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable J. M. Walton moved, That this Bill be now read a second time.

The Honorable H. R. Ward moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 10 STATE DEVELOPMENT DEPARTMENT—The Honorable D. R. White moved, That this House recommends to His Excellency the Governor in Council that the State Development Committee be empowered as a matter of priority to investigate and report upon all aspects of the operations of the State Development Department, including the Victorian Government Travel Authority and the Victorian Development Corporation.

Debate ensued.

Question—put.

The Council divided.

AYES, 13

The Hon. G. A. S. Butler (*Teller*)  
 Joan Cocksedge (*Teller*)  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

NOES, 28

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb (*Teller*)  
 W. M. Campbell  
 B. A. Chamberlain  
 (*Teller*)  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser

D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

And so it passed in the negative.

- 11 TRANSFER OF LAND (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 12 WRONGS (DEFAMATION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 8 to 19 inclusive, be postponed until later this day.

- 14 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—The Order of the Day for the resumption of the debate on the question, That the Council take note of the Report of the Director of Consumer Affairs for the year 1977-78, having been read—

Debate resumed.

The Honorable W. R. Baxter moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

15 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council do now adjourn until Tuesday week at half-past Four o'clock.

Question—put and resolved in the affirmative.

And then the Council, at forty-five minutes past Five o'clock, adjourned until Tuesday, 9 October at half-past Four o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*





*Mr President takes the Chair at a Quarter to Five o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Notice of Motion

- \*1 The Hon. A. J. HUNT—To move, That Sessional Orders adopted on 5 June 1979 and suspended on 27 June 1979 be reinstated.

### GENERAL BUSINESS

#### Notice of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 CONSTITUTIONAL POWERS (COASTAL WATERS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 2 BARLEY MARKETING (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- †4 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †5 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †6 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).

### GENERAL BUSINESS

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—  
Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second  
reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY  
AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—  
*Resumption of debate. (Hon. H. R. Ward).*
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be  
considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To  
be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be  
considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be  
considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council  
take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.*  
(*Hon. W. R. Baxter*).
- \*21 STANDING ORDERS COMMITTEE—MOTION REFERRING MATTERS FOR INVESTIGATION  
AND REPORT—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon.*  
*W. A. Landeryou).*
- \*22 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE  
AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the  
Report—(*Hon. D. N. Saltmarsh*).
- \*23 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)  
—Second reading.

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

*Mr President takes the Chair at Two o'clock*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of public funding of political campaigns on the basis that recognized political groups should have the right and opportunity of presenting their policies and views in the media without being dependent on campaign funds; the Committee to have power to send for persons, papers and records; three to be the quorum.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.

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*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 21 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 22 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading.
- \*23 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- \*24 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- \*25 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- \*26 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- \*27 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—To be considered.
- \*28 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- \*29 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- \*30 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- \*31 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- \*32 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- \*33 POLICE DEPARTMENT REPORT, 1978—To be considered.

## GOVERNMENT BUSINESS

### Orders of the Day

- 1 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- †2 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †3 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †4 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

\* \* \*

# MINUTES OF THE PROCEEDINGS

## No. 21—Tuesday, 9 October 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, on 2 October 1979, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
  - Prahran Market Act.*
  - Geelong Regional Commission (Amendment) Act.*
  - Pharmacists (Amendment) Act.*
  - Legal Profession Practice (Amendment) Act.*
- 3 ANZAC DAY (PUBLIC HOLIDAY) BILL—On the motion (by leave without notice) of the Honorable W. A. Landeryou, leave was given to bring in a Bill to amend Section 3 of the *Anzac Day Act* 1958, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 PAPERS—
  - The Honorable Haddon Storey presented, by command of His Excellency the Governor—
    - Police Department—Report for the year 1978.
 Ordered to lie on the Table.
    - The Honorable E. H. Walker moved, That the Report be taken into consideration on the next day of meeting.
    - Question—put and resolved in the affirmative.

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The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

- Adult Education Council—Report for the year 1978–79.
- Anti-Cancer Council—Report and statement of accounts for the year 1978–79.
- Crimes Compensation Tribunal—Report for the year 1978–79.
- Government Buildings Advisory Council—Report for the year 1978–79.
- Law Reform Commissioner—Report for the year 1978–79.
- Melbourne University—Financial statements for the year 1977.
- Poisons Act 1962—Proclamation of 11 September 1979 amending Schedules to the Act.
- Railways Board—Report for the year 1978–79.
- State Savings Bank—Reports, statements, returns, &c., for the year 1978–79.
- Teaching Service Act 1958—Teaching Service (Teachers Tribunal) Regulations—Amendment No. 495.
- Totalizator Agency Board—Report for the year ended 28 July 1979.

Town and Country Planning Act 1961—

Alberton—Shire of Alberton (Coastal) Planning Scheme—Amendment No. 14.

Melbourne Metropolitan Planning Scheme—Amendments No. 88, Part 2A; and No. 91, Part 1, with maps (thirty-five papers).

Port Fairy Planning Scheme 1959—Amendments Nos. 7, 8 and 9, 1978.

Woorayl—Shire of Woorayl Planning Scheme—Amendments Nos. 37, 38 and No. 40, 1979.

Victorian Institute of Secondary Education—Report for the year 1978.

The Honorable E. H. Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 SESSIONAL ORDERS—The Honorable A. J. Hunt moved, That Sessional Orders adopted on 5 June 1979 and suspended on 27 June 1979 be reinstated.

Question—put and resolved in the affirmative.

- 6 CONSTITUTIONAL POWERS (COASTAL WATERS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

Question—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley (*Teller*)  
 F. J. Granter  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor (*Teller*)  
 H. R. Ward  
 K. I. Wright

NOES, 12

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time, after debate, and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 7 **BARLEY MARKETING (AMENDMENT) BILL**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 8 **POSTPONEMENT OF ORDERS OF THE DAY AND NOTICES OF MOTION**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 6 inclusive, the Notice of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 20 inclusive, be postponed until later this day.

- 9 **STANDING ORDERS COMMITTEE**—The Order of the Day having been read for the resumption of the debate on the question, That the Standing Orders Committee be required to investigate and report upon the need for additional Standing Orders to provide:

- (a) for oral questions without notice for a period of 15 minutes each sitting day;
- (b) a procedure enabling the Council to discuss definite matters of urgent public importance;
- (c) that urgency motions have precedence over motions under Standing Order No. 53;
- (d) that, where only one Member calls for a division, he may have his dissent recorded;
- (e) that, upon the completion of the second reading of a Bill, the Council may proceed to the third reading unless some Member desires to raise a matter in Committee; and
- (f) that Ministerial Statements have precedence over motions under Standing Order No. 53 and urgency motions—

Debate resumed.

The Honorable W. A. Landeryou moved, as an amendment, That all the words after “investigate and report upon” be omitted with the view of inserting in place thereof—

- “(a) the changes (if any) which the Committee considers desirable to the procedures of the House and its Committees and the Standing Orders governing the same; and
- (b) any proposals for such changes which may be made to the Committee by any Member or Officer of the House”.

Debate ensued.

By leave, the Honorable W. A. Landeryou added the words “including the possible changes already raised by the Honorable B. A. Chamberlain” after the word “changes” in part (b) of the proposed amendment.



Debate continued.

Question—That the words proposed to be omitted stand part of the question—put and negatived.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Question—That the Standing Orders Committee be required to investigate and report upon—

(a) the changes (if any) which the Committee considers desirable to the procedures of the House and its Committees and the Standing Orders governing the same; and

(b) any proposals for such changes, including the possible changes already raised by the Honorable B. A. Chamberlain, which may be made to the Committee by any Member or Officer of the House—put and resolved in the affirmative.

- 10 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—The Order of the Day for the Council to take note of this Report having been read, the Honorable D. N. Saltmarsh moved, That the Council take note of the Report of the Subordinate Legislation Committee upon consolidation of the Police and Motor Car Regulations.

Debate ensued.

The Honorable D. E. Kent moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 11 ADJOURNMENT—ALTERATION OF HOUR OF MEETING—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-four minutes past Nine o'clock, adjourned until tomorrow at a quarter to Two o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 22—Wednesday, 10 October 1979

1 The President took the Chair and read the Prayer.

2 POISONS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Poisons Act 1962’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 JUDGES SALARIES BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Constitution Act 1975’ and the ‘County Court Act 1958’ with respect to the Salaries of Judges*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 PETITION—CONDITIONS AT VICTORIA PARK PRIMARY SCHOOL—The Honorable R. J. Eddy presented a Petition from certain citizens of Victoria praying that, in relation to Victoria Park Primary School, action be taken to:
- (a) maintain and continue the school;
  - (b) upgrade the classification of the school;
  - (c) supply additional teaching staff to ensure the recommencement of art and craft lessons and the continuance of the library programme;
  - (d) supply adequate office staff; and
  - (e) evict the occupants of the house in the school grounds with a view to upgrading and improving such grounds.

Ordered to lie on the Table.

- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Public Record Office—Report for the year 1978–79.
  - Transport Regulation Board—Report for the year 1978–79.

The Honorable E. H. Walker moved, That the Reports be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, General Business, No. 1, be postponed until later this day.
- 7 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—The Honorable W. A. Landeryou moved, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of public funding of political campaigns on the basis that recognized political groups should have the right and opportunity of presenting their policies and views in the media without being dependent on campaign funds; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

The Honorable A. J. Hunt moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 1 to 26 inclusive, be postponed until later this day.
- 9 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978–79—The Order of the Day for the consideration of the Report of the Government Buildings Advisory Council for 1978–79 having been read, the Honorable E. H. Walker moved, That the Council take note of the Report.

The Honorable A. J. Hunt, for the Honorable D. G. Crozier, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 10 VAGRANCY (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 11 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 28 to 33 inclusive, be postponed until later this day.

- 12 POISONS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 13 JUDGES SALARIES BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 14 ANZAC DAY (PUBLIC HOLIDAY) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. A. Landeryou moved, That this Bill be now read a second time.

The Honorable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 15 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—The Order of the Day for the resumption of the debate on the question, That the Council take note of the Report, having been read—

Debate resumed.

The Honorable W. R. Baxter moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 16 ADJOURNMENT—The Honorable Haddon Storey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-one minutes past Five o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
Clerk of the Legislative Council

*Mr President takes the Chair at a Quarter to Five o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 POISONS (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—  
Second reading—Resumption of debate. (Hon. G. A. S. Butler).
- \*2 JUDGES SALARIES BILL—(from Assembly—Hon. Haddon Storey)—Second reading  
—Resumption of debate. (Hon. R. J. Eddy).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(Hon.  
Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- †4 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—  
Resumption of debate. (Hon. W. M. Campbell).
- †5 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading  
—Resumption of debate. (Hon. W. M. Campbell).
- †6 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second  
reading—Resumption of debate. (Hon. W. M. Campbell).

### GENERAL BUSINESS

#### Notice of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of  
eight Members appointed to inquire into and report upon all aspects of  
superannuation; the Committee to have power to send for persons, papers  
and records; three to be the quorum.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—  
Resumption of debate. (Hon. R. J. Eddy).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)  
—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—  
Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second  
reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY  
AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading—  
Resumption of debate. (Hon. H. R. Ward).
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 21 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 22 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading.
- 23 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 24 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 25 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 26 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 27 GOVERNMENT BUILDINGS ADVSORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 28 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 29 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 30 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &C, 1978-79—To be considered.
- 31 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 32 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 33 POLICE DEPARTMENT REPORT, 1978—To be considered.
- \*34 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- \*35 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- \*36 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*2 The Hon. E. H. WALKER—To move, That this House is of the opinion that VicRail should be directed to abandon the proposed route along the Boulevard at Port Melbourne beach in favour of an alternative route for the Webb Dock freight line.
- \*3 The Hon. D. M. EVANS—To move, That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 21 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).
- 22 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)—Second reading.
- 23 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 24 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 25 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 26 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 27 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. D. G. Crozier).
- 28 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 29 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 30 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &C, 1978-79—To be considered.
- 31 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 32 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 33 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 34 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 35 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 36 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J. Hunt).
- \*37 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE NO. 1 WELL—To be considered.

## GOVERNMENT BUSINESS

### Orders of the Day

- 1 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- †2 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †3 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †4 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).

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† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

**TUESDAY, 23 OCTOBER 1979**  
**GOVERNMENT BUSINESS**

**Order of the Day**

\*1 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (LICENCE FEES) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).

**A. R. B. McDONNELL**  
*Clerk of the Legislative Council*

**FRED S. GRIMWADE**  
*President*

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**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

**CHAIRMAN OF COMMITTEES**—The Honorable W. M. Campbell.

**TEMPORARY CHAIRMEN**—The Honorable's P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

**SELECT COMMITTEES**

**COMPANY TAKE-OVERS (JOINT)**—The Honorable's R. Lawson, R. A. Mackenzie and J. W. S. Radford.

**CONSERVATION OF ENERGY RESOURCES (JOINT)**—The Honorable's V. T. Hauser, J. A. Taylor and I. B. Trayling.

**HOUSE (JOINT)**—The Honorable's the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

**LIBRARY (JOINT)**—The Honorable's the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

**PRINTING**—The Honorable's the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

**ROAD SAFETY (JOINT)**—The Honorable's B. P. Dunn, H. M. Hamilton and H. A. Thomas.

**STANDING ORDERS**—The Honorable's the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

**STATUTE LAW REVISION (JOINT)**—The Honorable's Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

**SUBORDINATE LEGISLATION (JOINT)**—The Honorable's D. E. Kent and D. N. Saltmarsh.

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# MINUTES OF THE PROCEEDINGS

## No. 23—Tuesday, 16 October 1979

- 1 The President took the Chair and read the prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
  - Barley Marketing (Amendment) Act.*
  - Water Authorities (Constitution and Powers) Act.*
  - Sewerage Authorities (Constitution and Powers) Act.*
- 3 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (LICENCE FEES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Business Franchise (Petroleum Products) Act 1979’ to make Provision with respect to the payment of Licence Fees and for other purposes*” and desiring the concurrence of the Council therein.
 

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 WRONGS (DEFAMATION) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.
 

Ordered—That the amendments be taken into consideration later this day.
- 5 MESSAGES FROM THE LEGISLATIVE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and notifying agreement to the same without amendment:
  - Water Authorities (Constitution and Powers) Bill.
  - Sewerage Authorities (Constitution and Powers) Bill.
- 6 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable E. H. Walker moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to provide adequate facilities for the safe disposal of liquid trade wastes”; and six other Honorable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 17

The Hon. W. R. Baxter  
 G. A. S. Butler  
 Joan Coxsedge  
 B. P. Dunn  
 R. J. Eddy  
 D. M. Evans (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro (*Teller*)  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White  
 K. I. Wright

NOES, 24

The Hon. P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 Dr K. J. Foley  
 F. J. Granter  
 H. M. Hamilton (*Teller*)  
 V. T. Hauser (*Teller*)  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it passed in the negative.

7 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

National Parks Act 1975—Notice of consent to drilling of East Seacombe No. 1 Well in Gippsland Lakes Park by Beach Petroleum NL pursuant to a petroleum exploration permit.

Statutory Rules under the following Acts of Parliament:

Environment Protection Act 1970—No. 379.

Groundwater Act 1969—No. 359.

Health Act 1958—No. 378.

Industrial Training Act 1975—Nos. 356, 362 and 380.

Instruments Act 1958—No. 364.

Melbourne and Metropolitan Board of Works Act 1958—Nos. 354 and 371.

Milk and Dairy Supervision Act 1958—Nos. 370 and 381.

Motor Car Act 1958—Nos. 357, 375 and 377.

Poisons Act 1962—Nos. 360 and 372.

Police Regulation Act 1958—No. 363.

Printers and Newspapers Act 1958—No. 376.

Private Agents Act 1966—No. 374.

Property Law Act 1958—No. 365.

Public Service Act 1974—PSD Nos. 68 to 73.

Racing Act 1958—No. 361.

Registration of Births Deaths and Marriages Act 1959—No. 358.

Religious Successory and Charitable Trusts Act 1958—No. 366.

Road Traffic Act 1958—No. 373.

Seeds Act 1971—No. 382.

Strata Titles Act 1967—No. 367.

Transfer of Land Act 1958—No. 368.

Vegetation and Vine Diseases Act 1958—No. 369.

## Town and Country Planning Act 1961—

Cranbourne Planning Scheme 1960—Amendment No. 30, 1979.

Melbourne Metropolitan Planning Scheme—Amendments No. 81, Part 4, with maps (five papers); No. 83, Part 3B, with maps (four papers); No. 92, Part 2, with maps (five papers); No. 92, Part 3, with maps (three papers); and No. 127.

Sale—City of Sale Planning Scheme 1975—Amendment No. 4, 1978.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendments Nos. 17, 23 and 24.

Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 12A, 1979.

- 8 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN VICTORIA—The Honorable W. V. Houghton made a Ministerial Statement upon exploration and mining in areas of Victoria managed by the National Parks Service and the Fisheries and Wildlife Division.

The Honorable W. A. Landeryou moved, That the Ministerial Statement and the notice of consent tabled by the Clerk this day be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (LICENCE FEES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 10 WRONGS (DEFAMATION) BILL—The Order of the Day for the consideration of the amendments made by the Assembly in this Bill having been read, the said amendments were read and are as follows:

1 Clause 2, line 19, after this line insert—

“(2) The publication of a fair and accurate report of the proceedings in public of a court of the Commonwealth or of a State or a Territory of the Commonwealth (not being the State of Victoria) shall be privileged unless the publication is proved to be made with malice.”

2 Clause 2, page 2, line 1, omit “(2)” and insert “(3)”.

On the motion of the Honorable A. J. Hunt, for the Honorable Haddon Storey, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 11 POISONS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 JUDGES SALARIES BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—Debate resumed.

Question—put.

The Council divided.

AYES, 28	NOES, 13
The Hon. W. R. Baxter	The Hon. G. A. S. Butler
H. G. Baylor	Joan Coxsedg
P. D. Block	R. J. Eddy
C. Bubb	C. J. Kennedy
W. M. Campbell	D. E. Kent
B. A. Chamberlain	W. A. Landeryou
D. G. Crozier	R. A. Mackenzie
B. P. Dunn	G. A. Sgro
D. M. Evans	H. A. Thomas ( <i>Teller</i> )
Dr K. J. Foley	I. B. Trayling ( <i>Teller</i> )
F. J. Granter	E. H. Walker
V. T. Hauser	J. M. Walton
D. K. Hayward ( <i>Teller</i> )	D. R. White
W. V. Houghton	
Dr R. W. Howard	
( <i>Teller</i> )	
A. J. Hunt	
Glyn Jenkins	
R. I. Knowles	
R. Lawson	
R. J. Long	
J. W. S. Radford	
N. B. Reid	
D. N. Saltmarsh	
N. F. Stacey	
Haddon Storey	
J. A. Taylor	
H. R. Ward	
K. I. Wright	

And so it was resolved in the affirmative—Bill read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

13 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-eight minutes past Ten o'clock, adjourned until tomorrow.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

## No. 24—Wednesday, 17 October 1979

- 1 The President took the Chair and read the Prayer.
  
- 2 SCHOOL BUILDING PROGRAMME, 1979–80—The Honorable A. J. Hunt moved, by leave, That there be laid before this House a copy of a Ministerial Statement made in the Legislative Assembly on 16 October relating to the school building programme 1979–80, together with the building programme therein referred to.  
 Question—put and resolved in the affirmative.  
 The said Statement and documentation were thereupon presented by the Honorable A. J. Hunt and ordered to lie on the Table.  
 The Honorable B. P. Dunn moved, That these papers be taken into consideration on the next day of meeting.  
 Question—put and resolved in the affirmative.
  
- 3 STATUTE LAW REVISION BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to revise Statute Law, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
  
- 4 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, General Business, No. 1, be postponed until later this day.
  
- 5 WEBB DOCK FREIGHT LINE—The Honorable E. H. Walker moved, That this House is of the opinion that VicRail should be directed to abandon the proposed route along the Boulevard at Port Melbourne beach in favour of an alternative route for the Webb Dock freight line.  
 Debate ensued.  
 The Honorable K. I. Wright moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until the next day of meeting.
  
- 6 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—The Honorable D. M. Evans moved, That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to the quorum.  
 Debate ensued.  
 The Honorable F. J. Granter moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until Wednesday, 31 October.
  
- 7 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.
  
- 8 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976–77—The Order of the Day for the consideration of the Report of the Registrar of Co-operative Societies for 1976–77 having been read, the Honorable Dr K. J. Foley moved, That the Council take note of the Report.  
 The Honorable B. P. Dunn, for the Honorable W. R. Baxter, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 12 to 37 inclusive, be postponed until later this day.
- 10 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'State Electricity Commission Act 1958' and the 'Electric Light and Power Act 1958', and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 11 STATUTE LAW REVISION BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 12 STATUTE LAW REVISION BILL—The Honorable Haddon Storey moved, by leave, That the proposals contained in this Bill be referred to the Statute Law Revision Committee for examination and report.

Question—put and resolved in the affirmative.

- 13 ADJOURNMENT—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-nine minutes past Ten o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
Clerk of the Legislative Council

*Mr President takes the Chair at a Quarter to Five o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading.
- 2 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (LICENCE FEES) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- †4 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †5 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †6 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- ø\*7 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Haddon Storey).

### GENERAL BUSINESS

#### Notice of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate. (Hon. W. R. Baxter).*
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. W. R. Baxter).*
- 21 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate. (Hon. D. E. Kent).*
- 22 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading.
- 23 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 24 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 25 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 26 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 27 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. D. G. Crozier).*
- 28 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 29 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 30 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &C, 1978-79—To be considered.
- 31 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 32 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 33 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 34 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 35 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 36 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. A. J. Hunt).*
- 37 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE NO. 1 WELL—To be considered.



- \*38 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979–80—To be considered.
- \*39 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—*(Hon. E. H. Walker)*—*Resumption of debate. (Hon. K. I. Wright).*

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**WEDNESDAY, 31 OCTOBER 1979  
GENERAL BUSINESS**

**Order of the Day**

- \*1 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—*(Hon. D. M. Evans)*—*Resumption of debate. (Hon. F. J. Granter).*

**A. R. B. McDONNELL**  
*Clerk of the Legislative Council*

**FRED S. GRIMWADE**  
*President*

\* \* \*

**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

**SELECT COMMITTEES**

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*2 The Hon. W. A. LANDERYOU—To move, That this House, mindful of the need at all times to seek avenues to industrial peace in Victoria, regards the actions of the Government of the Commonwealth in relation to the recent passage of the Conciliation and Arbitration Amendment Bill as potentially disruptive of such peace, and calls upon the Government of Victoria to urge the Government of the Commonwealth not to proceed with the implementation of that legislation, but to take prompt action directed towards its repeal.
- \*3 The Hon. B. P. DUNN—To move, That the views of Honorable Members with respect to the aims and objectives of education in Victoria and the strategies and administrative changes necessary to implement them be referred to the Minister of Education for consideration in connection with the current Ministerial review of education policies.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading—*Resumption of debate.* (Hon. D. N. Saltmarsh).
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(Hon. Dr. K. J. Foley)—*Resumption of debate.* (Hon. W. R. Baxter).

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- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 21 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 22 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading.
- 23 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 24 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 25 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 26 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 27 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 28 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 29 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 30 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 31 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 32 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 33 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 34 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 35 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 36 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 37 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE No. 1 WELL—To be considered.
- 38 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 39 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- \*40 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.

## GOVERNMENT BUSINESS

### Orders of the Day

- 1 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- †2 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—  
*Resumption of debate.* (Hon. W. M. Campbell).
- †3 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—  
*Resumption of debate.* (Hon. W. M. Campbell).
- †4 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second  
reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ∅5 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—  
*Resumption of debate.* (Hon. Haddon Storey).

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## TUESDAY, 30 OCTOBER GOVERNMENT BUSINESS

### Orders of the Day

- 1 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- \*2 LOCAL AUTHORITIES SUPERANNUATION BILL—(Hon. D. G. Crozier)—Second  
reading—*Resumption of debate.* (Hon. W. A. Landeryou).

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## WEDNESDAY, 31 OCTOBER GENERAL BUSINESS

### Order of the Day

- 1 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—MOTION FOR APPOINTMENT  
OF SELECT COMMITTEE—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. F. J. Granter).

A. R. B. McDONNELL

*Clerk of the Legislative Council*

FRED S. GRIMWADE

*President*

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

∅ Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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# MINUTES OF THE PROCEEDINGS

No. 25—Tuesday, 23 October 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
  - Wrongs (Defamation) Act.*
  - Judges Salaries Act.*
  - Poisons (Amendment) Act.*
- 3 LOCAL AUTHORITIES SUPERANNUATION BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to amend the *Local Authorities Superannuation Act 1958*, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - State Insurance Office—Statement of accounts for the year 1978–79.
  - Town and Country Planning Act 1961—
    - Croydon—City of Croydon Planning Scheme—Amendment No. 83.
    - Melbourne Metropolitan Planning Scheme—Amendments No. 90, Part 1B, with maps (three papers); and No. 125, with map (two papers).
    - South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 39, 1978.

The Honorable E. H. Walker moved, That the Statement of Accounts of the State Insurance Office be taken into consideration on the next day of meeting.  
Question—put and resolved in the affirmative.
- 5 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.  
The Honorable Joan Coxsedg moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 6 LOCAL AUTHORITIES SUPERANNUATION BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.  
The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 7 BUSINESS FRANCHISE (PETROLEUM PRODUCTS) (LICENCE FEES) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—  
Debate resumed.

Question—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson (*Teller*)  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

NOES, 11

The Hon. G. A. S. Butler (*Teller*)  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 E. H. Walker  
 D. R. White (*Teller*)

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 8 POSTPONEMENT OF NOTICE OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 7 inclusive, the Notice of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 6 inclusive, be postponed until later this day.
- 9 WILDLIFE (SPRING TRAPS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable D. N. Saltmarsh moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

10 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-five minutes past Ten o'clock, adjourned until tomorrow.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 26—Wednesday, 24 October 1979

- 1 The President took the Chair and read the Prayer.
- 2 LATROBE VALLEY (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable F. J. Granter, leave was given to bring in a Bill to amend the *Latrobe Valley Act* 1958, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 3 VICTORIAN FISHING INDUSTRY COUNCIL BILL—On the motion (by leave without notice) of the Honorable W. V. Houghton, leave was given to bring in a Bill to establish a Victorian Fishing Industry Council and to amend section 3 (1) of the *Local Authorities Superannuation Act* 1958, the *Fisheries Act* 1968 and the *Ministry for Conservation Act* 1972, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 FISHERIES (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable W. V. Houghton, leave was given to bring in a Bill to amend the *Fisheries Act* 1968, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
  - Environment Protection Authority—Report for the year 1978–79.
  - Registration of Births Deaths and Marriages Act 1959—General abstract of births, stillbirths, deaths and marriages during the year 1978.
  - Taxation—Analysis of operations of Land Tax for the assessment year 1978, and Probate Duty and Gift Duty for the year 1978–79.

The Honorable W. A. Landeryou moved, That these papers be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.
- 6 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, General Business, No. 1, be postponed until later this day.
- 7 COMMONWEALTH INDUSTRIAL LEGISLATION—The Honorable W. A. Landeryou moved, That this House, mindful of the need at all times to seek avenues to industrial peace in Victoria, regards the actions of the Government of the Commonwealth in relation to the recent passage of the Conciliation and Arbitration Amendment Bill as potentially disruptive of such peace, and calls upon the Government of Victoria to urge the Government of the Commonwealth not to proceed with the implementation of that legislation, but to take prompt action directed towards its repeal.



Debate ensued.

The Honorable Haddon Storey moved, as an amendment, That all the words after "industrial peace in Victoria," be omitted with the view to inserting in place thereof "acknowledges that any system of industrial relations requires a spirit of co-operation amongst all the parties concerned and a willingness to abide by the decisions of duly appointed tribunals; accordingly it commends the continuance of policies of industrial relations that will foster an atmosphere of harmony and mutual benefit for all sections of the workforce".

Debate continued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 13

The Hon. G. A. S. Butler  
Joan Coxsedge (*Teller*)  
R. J. Eddy (*Teller*)  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

NOES, 26

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long (*Teller*)  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
Haddon Storey  
J. A. Taylor  
H. R. Ward  
K. I. Wright (*Teller*)

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put.

The Council divided.

AYES, 26

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
F. J. Granter

NOES, 13

The Hon. G. A. S. Butler  
Joan Coxsedge  
R. J. Eddy  
C. J. Kennedy (*Teller*)  
D. E. Kent (*Teller*)  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling

J. V. C. Guest	E. H. Walker
H. M. Hamilton	J. M. Walton
V. T. Hauser	D. R. White
D. K. Hayward	
W. V. Houghton	
Glyn Jenkins	
R. I. Knowles	
R. Lawson	
R. J. Long	
J. W. S. Radford ( <i>Teller</i> )	
N. B. Reid ( <i>Teller</i> )	
D. N. Saltmarsh	
Haddon Storey	
J. A. Taylor	
H. R. Ward	
K. I. Wright	

And so it was resolved in the affirmative.

Question—That this House, mindful of the need at all times to seek avenues to industrial peace in Victoria, acknowledges that any system of industrial relations requires a spirit of co-operation amongst all the parties concerned and a willingness to abide by the decisions of duly appointed tribunals; accordingly it commends the continuance of policies of industrial relations that will foster an atmosphere of harmony and mutual benefit for all sections of the workforce—put and resolved in the affirmative.

8 POSTPONEMENT OF NOTICE OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of Notice of Motion, General Business, No. 3, and the Orders of the Day, General Business, be postponed until later this day.

9 VICTORIAN FISHING INDUSTRY COUNCIL BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable E. H. Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

10 FISHERIES (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable E. H. Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

11 ADJOURNMENT—The Honorable Haddon Storey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-seven minutes past Ten o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
Clerk of the Legislative Council

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*Mr President takes the Chair at a Quarter to Five o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 LATROBE VALLEY (AMENDMENT) BILL—(Hon. F. J. Granter)—Second reading.
- 2 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. Joan Coxsedge).
- 3 LOCAL AUTHORITIES' SUPERANNUATION BILL—(Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- \*4 VICTORIAN FISHING INDUSTRY COUNCIL BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- \*5 FISHERIES (AMENDMENT) BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- 6 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- †7 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †8 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †9 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- ∅10 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Haddon Storey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. B. P. DUNN—To move, That the views of Honorable Members with respect to the aims and objectives of education in Victoria and the strategies and administrative changes necessary to implement them be referred to the Minister of Education for consideration in connection with the current Ministerial review of education policies.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

∅ Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

## Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading—*Resumption of debate.* (Hon. D. N. Saltmarsh).
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(Hon. Dr. K. J. Foley)—*Resumption of debate.* (Hon. W. R. Baxter).
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 21 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).
- 22 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)—Second reading.
- 23 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 24 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 25 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 26 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 27 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. D. G. Crozier).
- 28 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 29 RAILWAYS BOARD REPORT, 1978-79—To be considered.

- 30 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &C, 1978-79—To be considered.
- 31 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 32 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 33 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 34 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 35 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 36 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J. Hunt).
- 37 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE No. 1 WELL—To be considered.
- 38 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 39 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. K. I. Wright).
- 40 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- \*41 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- \*42 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- \*43 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.

\* \* \*

## WEDNESDAY, 31 OCTOBER GENERAL BUSINESS

### Order of the Day

- 1 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. F. J. Granter).

**A. R. B. McDONNELL**

*Clerk of the Legislative Council*

**FRED S. GRIMWADE**

*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

\* \* \*

*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. B. P. DUNN—To move, That the views of Honorable Members with respect to the aims and objectives of education in Victoria and the strategies and administrative changes necessary to implement them be referred to the Minister of Education for consideration in connection with the current Ministerial review of education policies.
- \*3 The Hon. JOAN COXSEGE—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of rape in Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.

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14. TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
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22. HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading.
23. ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
24. ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
25. ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
26. CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
27. GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
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- 44 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. F. J. Granter).
- \*45 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- \*46 COUNTRY ROADS BOARD REPORT, 1978–79—To be considered.
- \*47 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- \*48 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978–79—To be considered.
- \*49 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.

## GOVERNMENT BUSINESS

### Orders of the Day

- 1 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- †2 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †3 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †4 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ø5 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

\* \* \*

## TUESDAY, 13 NOVEMBER GOVERNMENT BUSINESS

### Order of the Day

- 1 LATROBE VALLEY (AMENDMENT) BILL—(Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. D. R. White).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

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† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorable's P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

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PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxside, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

\* \* \*

## LEGISLATIVE COUNCIL OF VICTORIA

## MINUTES OF THE PROCEEDINGS

## No. 27—Tuesday, 30 October 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz.:
- Business Franchise (Petroleum Products) (Licence Fees) Act.*

## 3 PAPERS—

CONSERVATION OF ENERGY RESOURCES COMMITTEE—THIRD PROGRESS REPORT—The Honorable I. B. Trayling presented the Third Progress Report from the Conservation of Energy Resources Committee upon Pricing of Liquefied Petroleum Gas, its relevant Use and Safety Aspects, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

The Honorable Glyn Jenkins moved, That the Report and Appendices be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

\* \* \*

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Country Roads Board—Report for the year 1978–79.

Education Act 1958—Resumption of land at Ballarat—Certificate of the Minister of Education.

Hospitals Superannuation Fund—Report on Fourth Actuarial Investigation.

Surveyor-General—Report upon the progress and co-ordination of surveys under the National Mapping Scheme for the year 1978–79.

Teaching Service Act 1958—Teaching Service (Teachers Tribunal) Regulations—Amendment No. 496.

Town and Country Planning Act 1961—

Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 8, 1979.

Cranbourne Planning Scheme—Amendment No. 28.

Swan Hill—Shire of Swan Hill (Nyah/Nyah West) Planning Scheme 1965—Amendment No. 2, 1976.

Victorian Development Corporation—Report for the year 1978–79.

The Honorable E. H. Walker moved, That the reports of the Country Roads Board, 1978–79, the Fourth Actuarial Investigation into the Hospitals Superannuation Fund, and the Victorian Development Corporation, 1978–79, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 LATROBE VALLEY (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 13 November.

- 5 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 6 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—The Honorable A. J. Hunt made a Ministerial Statement on Teacher Appointments.

The Honorable W. A. Landeryou moved, That the Ministerial Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 7 LOCAL AUTHORITIES SUPERANNUATION BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 8 VICTORIAN FISHING INDUSTRY COUNCIL BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 9 FISHERIES (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

10 ADJOURNMENT—The Honorable W. V. Houghton moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at Ten o'clock, adjourned until tomorrow.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

## No. 28—Wednesday, 31 October 1979

1 The President took the Chair and read the Prayer.

2 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—The Honorable H. M. Hamilton moved, by leave, That the Honorable D. R. White, a Member for the Doutta Galla Province, in the opinion of this House, on Tuesday, 30 October 1979, breached the practices of the House in that he abused the privilege of a Member in greatly exceeding the parameters of matters allowed by Mr President to be raised by way of personal explanation, and he is hereby censured for his conduct.

Debate ensued.

The Honorable I. B. Trayling moved, That the question be not now put.

Debate ensued.

Motion, by leave, withdrawn.

Debate on main question continued.

The Honorable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

3 ALLEGATIONS MADE IN DEBATE—The Honorable A. J. Hunt moved, by leave, That a Select Committee of five Members be appointed to inquire into and report upon the truth and justification or otherwise of and for the allegations made by the Honorable D. R. White during debate in this House on 26 September 1979 and in a personal explanation on 30 October 1979 against Mr G. Robertson of the Victorian Development Corporation; the Committee to have power to send for persons, papers and records; three to be the quorum.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, by leave, That the Council proceed to the appointment of the members of the committee on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Fisheries—Report of the Commercial Fisheries Section of the Fisheries and Wildlife Division for the year 1977–78.

Melbourne Underground Rail Loop Authority—Report for the year 1978–79.

Town and Country Planning Act 1961—

Horsham—City of Horsham Planning Scheme 1973—Amendment No. 23, 1975.

Maffra—Shire of Maffra Planning Scheme (Maffra Township)—Amendment No. 19, 1979.

Melbourne Metropolitan Planning Scheme—Amendments No. 91, Part 2, with maps (four papers); No. 132 and No. 133.

The Honorable E. H. Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 and 2, be postponed until later this day.

- 6 RAPE—The Honorable Joan Coxside moved, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of rape in Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

The Honorable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 7 ADJOURNMENT—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until Tuesday, 13 November.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-two minutes past Nine o'clock, adjourned until Tuesday, 13 November.

A. R. B. McDONNELL  
Clerk of the Legislative Council

*Mr President takes the Chair at a Quarter to Five o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 SELECT COMMITTEE ON ALLEGATIONS AGAINST MEMBER OF VICTORIAN DEVELOPMENT CORPORATION—To be appointed.
- 2 LATROBE VALLEY (AMENDMENT) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- †4 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †5 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †6 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ø7 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. B. P. DUNN—To move, That the views of Honorable Members with respect to the aims and objectives of education in Victoria and the strategies and administrative changes necessary to implement them be referred to the Minister of Education for consideration in connection with the current Ministerial review of education policies.
- \*3 The Hon. D. M. EVANS—To move, That this House is of opinion that the Government should defer any decision to adopt the final recommendations of the Land Conservation Council on the Alpine Study Area until a complete economic impact assessment of the effect of their implementation on the whole community is carried out and tabled in Parliament.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.



- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- 16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- 17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 21 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 22 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading.
- 23 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 24 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 25 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 26 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 27 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 28 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 29 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 30 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 31 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 32 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 33 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 34 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.

- 35 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 36 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 37 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE No. 1 WELL—To be considered.
- 38 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 39 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 40 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 41 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 42 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 43 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 44 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 45 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 46 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 47 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 48 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 49 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- \*50 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- \*51 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- \*52 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- \*53 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. Haddon Storey*).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. D. M. EVANS—To move, That this House is of opinion that the Government should defer any decision to adopt the final recommendations of the Land Conservation Council on the Alpine Study Area until a complete economic impact assessment of the effect of their implementation on the whole community is carried out and tabled in Parliament.
- \*3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*5 The Hon. G. A. SGRO—To move, That there be a Select Committee of eight Members appointed to examine and evaluate the available reports of Inquiries into drugs and related matters, and to make recommendations as to action considered necessary to be taken as a result thereof; the Committee to have power to send for persons, papers and records; three to be the quorum.

#### Contingent Notice of Motion

- \*1 The Hon. E. H. WALKER—Contingent upon the House proceeding to the Notice of Motion in the name of the Honorable D. M. Evans regarding the final recommendation of the Land Conservation Council on the Alpine Study Area: To move, That a full public inquiry be undertaken into the State's forests resources and the future of Victoria's forest industries; and that both these motions be debated concurrently.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 LAND CONSERVATION COUNCIL—FINAL RECOMMENDATIONS ON ALPINE STUDY AREA—To be considered.
- 7 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading—*Resumption of debate.* (Hon. D. N. Saltmarsh).
- 8 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 9 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 10 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 11 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(Hon. Dr. K. J. Foley)—*Resumption of debate.* (Hon. W. R. Baxter).
- 12 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 13 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §14 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §15 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §16 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §17 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 18 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 19 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 20 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 21 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).
- 22 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)—Second reading.
- 23 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 24 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 25 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 26 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 27 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. D. G. Crozier).
- 28 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 29 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 30 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &C, 1978-79—To be considered.
- 31 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- §32 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 33 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 34 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 35 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.

- 36 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 37 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE No. 1 WELL—To be considered.
- §38 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979–80—To be considered.
- 39 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 40 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978–79—To be considered.
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- 42 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 43 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978–79—To be considered.
- 44 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 45 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 46 COUNTRY ROADS BOARD REPORT, 1978–79—To be considered.
- 47 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 48 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978–79—To be considered.
- §49 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 50 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 51 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
- 52 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978–79—To be considered.
- 53 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- \*54 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977–78—To be considered.
- \*55 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977–78—To be considered.
- \*56 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977–78—To be considered.
- \*57 GAS AND FUEL CORPORATION REPORT, 1978–79—To be considered.
- \*58 LIBRARY COUNCIL REPORTS, 1976–77 AND 1977–78—To be considered.
- \*59 OMBUDSMAN'S ANNUAL REPORT FOR 1978–79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- \*60 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- \*61 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978–79—To be considered.
- \*62 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978–79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 64.

- \*63 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- \*64 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(Hon. B. P. Dunn)—Resumption of debate. (Hon. H. R. Ward).

## GOVERNMENT BUSINESS

### Orders of the Day

- \*1 WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*2 SECOND-HAND DEALERS (CLOSING HOURS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- †4 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †5 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †6 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- ø7 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Haddon Storey).

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## TUESDAY, 20 NOVEMBER

### At 6 o'clock—

- \*JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Monash University Council.

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

*Mr President takes the Chair at a Quarter past Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*2 BUSINESS FRANCHISE (TOBACCO) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*3 UNCLAIMED MONEYS BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*4 MOTOR CAR (SURCHARGE) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*5 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*6 LAND TAX BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*7 GIFT DUTY (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*8 VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—(Hon. W. V. Houghton)—Second reading.
- \*9 PAY-ROLL TAX BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- 10 SECOND-HAND DEALERS (CLOSING HOURS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 11 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- †12 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †13 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †14 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ∅15 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

∅ Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.



- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. G. A. SGRO—To move, That there be a Select Committee of eight Members appointed to examine and evaluate the available reports of inquiries into drugs and related matters, and to make recommendations as to action considered necessary to be taken as a result thereof; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 63.

- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading.
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978–79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978–79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978–79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978–79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978–79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978–79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978–79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978–79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978–79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978–79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 36 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE No. 1 WELL—To be considered.
- §37 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979–80—To be considered.
- 38 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 39 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978–79—To be considered.
- 40 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978–79—To be considered.
- 41 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 42 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978–79—To be considered.
- 43 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 44 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 45 COUNTRY ROADS BOARD REPORT, 1978–79—To be considered.
- 46 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 47 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978–78—To be considered.
- §48 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 49 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).

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- 50 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 51 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 52 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. Joan Coxsedg)—*Resumption of debate.* (Hon. Haddon Storey).
- 53 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 55 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 56 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 57 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 58 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 59 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 60 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 61 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 62 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 63 EDUCATION POLCIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. H. R. Ward).
- \*64 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.

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## TUESDAY, 20 NOVEMBER

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At 6 o'clock—

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Monash University Council.

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A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

# MINUTES OF THE PROCEEDINGS

## No. 29—Tuesday, 13 November 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, on 7 November 1979, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz.:  
*State Electricity Commission (Amendment) Act.*
- 3 WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Workers Compensation Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.  
On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 4 MELBOURNE AND MONASH UNIVERSITY COUNCILS—The President announced the receipt of the following communications from the Minister of Education:

8 October 1979

Dear Mr President,

Section 5 (1) (a) (i) of the *Melbourne University Act 1958* provides that one member of the University Council shall be a member of the Legislative Council and I should be grateful if you could arrange for the Council to recommend a member to replace the Hon. Bruce Anthony Chamberlain, M.L.C. for the four year term commencing on 17 December 1979.

Yours sincerely,

A. J. HUNT

Minister of Education

\* \* \*

1 November 1979

Dear Mr President,

Section 7 of the *Monash University Act 1958* provides that three members of the Council of the University shall be Members of the Parliament of Victoria who have been recommended for appointment by a joint sitting of Members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by the Members present at the sitting.

The term of office of the Members appointed pursuant to this provision—The Honorable Peter David Block, M.L.C., Ian Robert Cathie, M.P. and Neil Malcolm McInnes, M.P.—expires on 11 December 1979 and I should be grateful if you could arrange a joint sitting before the end of the current

Session of the Members of the Legislative Council and the Legislative Assembly to recommend three members for appointment to the University Council for the four year term from 12 December 1979.

I have addressed a similar letter to the Speaker of the Legislative Assembly.

Yours sincerely,

A. J. HUNT

Minister of Education

- 5 PETITION—PRESBYTERIAN LADIES COLLEGE—The Honorable J. V. C. Guest presented a Petition from former pupils of the Presbyterian Ladies College, Melbourne, praying that legislation be passed to allow the College to become an independent corporate body.

Ordered to lie on the Table.

- 6 JOINT SITTING—The President announced the receipt of a Message from the Assembly acquainting the Council that they had agreed to meet the Council for the purpose of sitting and voting together to choose three Members of the Parliament of Victoria to be recommended for appointment to the Council of the Monash University and proposing that the place and time of such meeting be the Legislative Assembly Chamber on Tuesday next at Six o'clock, and desiring the concurrence of the Council.

The Honorable A. J. Hunt moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose three Members of the Parliament of Victoria to be recommended for appointment to the Council of the Monash University and, as proposed by the Legislative Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Tuesday, 20 November, at Six o'clock.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

- 7 MELBOURNE UNIVERSITY COUNCIL—The Honorable A. J. Hunt moved, by leave, That the Honorable Bruce Anthony Chamberlain be recommended to the Governor in Council for appointment to the Council of the Melbourne University.

Question—put and resolved in the affirmative.

- 8 SECOND-HAND DEALERS (CLOSING HOURS) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to amend the *Second-hand Dealers Act* 1958, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—On the motion (by leave without notice) of the Honorable W. A. Landeryou, leave was given to bring in a Bill to amend the *Hospitals Remuneration Tribunal Act* 1978 with respect to the Rates of Remuneration of Medical Practitioners, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 10 PAPERS—

STATUTE LAW REVISION COMMITTEE—TRUSTEE COMPANY TAKEOVER OFFER—The Honorable D. M. Evans presented a Report from the Statute Law Revision Committee upon the takeover offer for The Union-Fidelity Trustee Company of Australia Limited by Burns Philp Trustee Company Limited, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report to be printed.

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ROAD SAFETY COMMITTEE—TWENTIETH PROGRESS REPORT—The Honorable H. M. Hamilton presented the Twentieth Progress Report from the Road Safety Committee upon Mopeds, together with Appendices and Minutes of Evidence. Ordered to lie on the Table, and the Report and Appendices to be printed.

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The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Co-operative Housing Societies—Report of the Registrar for the year 1977–78.

Co-operative Societies—Report of the Registrar for the year 1977–78.

Fire Brigades—Report of the Metropolitan Fire Brigades Board for the year 1977–78.

Gas and Fuel Corporation—Report for the year 1978–79.

Library Council—Reports for the years 1976–77 and 1977–78.

Ombudsman—Reports for the year 1978–79 and the quarter ended 30 June 1979 (combined document).

Railways Board—Report for the quarter ended 30 September 1979.

State Library and National Museum Buildings Committee—Report for the period ended 30 June 1979.

Statutory Rules under the following Acts of Parliament:

Cluster Titles Act 1974—No. 391.

Fisheries Act 1968—Nos. 388, 397 and 398.

Forests Act 1958—No. 395.

Grain Elevators Act 1958—No. 390.

Health Act 1958—No. 384.

Liquor Control Act 1968—Nos. 385 and 386.

Poisons Act 1962—No. 383.

Public Service Act 1974—PSD Nos. 74, 75, 77 and 78.

Second-hand Dealers Act 1958—Nos. 392, 393 and 394.

Town and Country Planning Act 1961—

Frankston—City of Frankston Planning Scheme—Amendment No. 18, 1978.

Melbourne Metropolitan Planning Scheme—Amendments No. 110, Part 2, with map (two papers); and No. 129, with map (two papers).

Sherbrooke—Shire of Sherbrooke Planning Scheme—Amendment No. 127.

Tramways—Report and statement of accounts of the Melbourne and Metropolitan Tramways Board for the year 1978–79.

The Honorable E. H. Walker moved, That the Reports tabled by the Clerk be taken in consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 11 SELECT COMMITTEE—ALLEGATIONS MADE IN DEBATE—The Honorable A. J. Hunt moved, by leave, That the Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker be members of the Select Committee to inquire into and report upon the truth and justification or otherwise of and for the allegations made by the Honorable D. R. White during debate in this House on 26 September 1979 and in a personal explanation on 30 October 1979 against Mr G. Robertson of the Victorian Development Corporation.

Question—put and resolved in the affirmative.

- 12 LATROBE VALLEY (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 POSTPONEMENT OF ORDERS OF THE DAY AND NOTICE OF MOTION—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 7 inclusive, and Notice of Motion, General Business, No. 1, be postponed until later this day.

- 14 DISCUSSION OF COGNATE MATTERS—The Honorable W. A. Landeryou moved, by leave, That this House authorizes and requires the Honorable the President to permit discussion upon Orders of the Day, General Business, Nos. 14, 15, 16, 17, 32, 38 and 49, which Orders deal with matters cognate to the general question of education policies, in conjunction with debate upon Notice of Motion, General Business, No. 2, in the name of the Honorable B. P. Dunn.

Question—put and resolved in the affirmative.

- 15 EDUCATION POLICIES REVIEW—The Honorable B. P. Dunn moved, That the views of Honorable Members with respect to the aims and objectives of education in Victoria and the strategies and administrative changes necessary to implement them be referred to the Minister of Education for consideration in connection with the current Ministerial review of education policies.

Debate ensued.

The Honorable H. R. Ward moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 16 SECOND-HAND DEALERS (CLOSING HOURS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable W. A. Landeryou, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 17 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-five minutes past Ten o'clock, adjourned until tomorrow.

## No. 30—Wednesday, 14 November 1979

- 1 The President took the Chair and read the Prayer.
- 2 BUSINESS FRANCHISE (TOBACCO) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Business Franchise (Tobacco) Act 1974’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 UNCLAIMED MONEYS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Unclaimed Moneys Act 1962’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 MOTOR CAR (SURCHARGE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Motor Car Act 1958’ in relation to the Surcharge on certain Insurance Premiums*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable W. V. Houghton, leave was given to bring in a Bill to amend the *Vermin and Noxious Weeds Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 PETITION—FLEMINGTON PRIMARY SCHOOL—The Honorable D. R. White presented a Petition from certain citizens of Victoria praying that funds be made available by the Education Department on a permanent basis for teacher aide positions at Flemington Primary School.

Ordered to lie on the Table.

- 7 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Housing Advisory Council—Report for the period ended 30 June 1979.

The Honorable W. A. Landeryou moved, That this Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 8 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.

- 9 CO-OPERATIVE SOCIETIES—REGISTRAR’S REPORT, 1976–77—The Order of the Day having been read for the resumption of the debate on the motion, That the Council take note of the Report of the Registrar of Co-operative Societies for 1976–77—

Debate resumed.

The Honorable H. R. Ward moved, That the debate be now adjourned.



Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until the next day of meeting.

- 10 ALPINE STUDY AREA—FINAL RECOMMENDATIONS OF THE LAND CONSERVATION COUNCIL—The Honorable D. M. Evans moved, That this House is of opinion that the Government should defer any decision to adopt the final recommendations of the Land Conservation Council on the Alpine Study Area until a complete economic impact assessment of the effect of their implementation on the whole community is carried out and tabled in Parliament.

Pursuant to Contingent Notice, the Honorable E. H. Walker moved, That a full public inquiry be undertaken into the State's forests resources and the future of Victoria's forest industries; and that both these motions be debated concurrently.

Question—That the motion moved by the Honorable D. M. Evans and the motion now moved by the Honorable E. H. Walker be debated concurrently—put and resolved in the affirmative.

Debate on the motions ensued.

The Honorable W. V. Houghton moved, as an amendment to the Honorable D. M. Evans' motion, That all the words after "should" be omitted with the view of inserting in place thereof the words "in making a decision on the final recommendations of the Land Conservation Council on the Alpine Study Area take into account the economic effect of those recommendations on the whole community".

Debate continued.

And the Council having continued to sit until after Twelve midnight—

#### THURSDAY, 15 NOVEMBER

Debate continued.

The Honorable R. A. Mackenzie moved, as an amendment to the amendment moved by the Honorable W. V. Houghton, That the following words be added after the word "community":

"and the importance of implementing such recommendations at the earliest opportunity if the unique quality of the area is to be conserved."

Question—That the words proposed to be added to the amendment moved by the Honorable W. V. Houghton be so added—put and resolved in the affirmative.

Question—That the words proposed to be omitted (from the Honorable D. M. Evans' motion) stand part of the question—put.

The Council divided.

AYES, 4

The Hon. W. R. Baxter  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 K. I. Wright (*Teller*)

NOES, 37

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb  
 G. A. S. Butler  
 W. M. Campbell  
 B. A. Chamberlain  
 Joan Coxsedge  
 D. G. Crozier  
 R. J. Eddy  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton

V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 C. J. Kennedy  
 D. E. Kent  
 R. I. Knowles  
 W. A. Landeryou  
 R. Lawson  
 R. J. Long  
 R. A. Mackenzie (*Teller*)  
 J. W. S. Radford  
 N. B. Reid  
 G. A. Sgro  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. A. Thomas  
 E. H. Walker  
 J. M. Walton  
 H. R. Ward (*Teller*)  
 D. R. White

And so it passed in the negative.

Question—That the words proposed by the Honorable W. V. Houghton (as amended on the motion of the Honorable R. A. Mackenzie) to be inserted in the Honorable D. M. Evans' motion after "should" be so inserted—put and resolved in the affirmative.

Question—That this House is of opinion that the Government should, in making a decision on the final recommendations of the Land Conservation Council on the Alpine Study Area, take into account the economic effect of those recommendations on the whole community and the importance of implementing such recommendations at the earliest opportunity if the unique quality of the area is to be conserved—put and resolved in the affirmative.

Question—That a full public inquiry be undertaken into the State's forests resources and the future of Victoria's forest industries—put.

The Council divided.

AYES, 16

The Hon. W. R. Baxter  
 G. A. S. Butler  
 Joan Coxedge  
 B. P. Dunn  
 R. J. Eddy  
 D. M. Evans  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro (*Teller*)  
 H. A. Thomas (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White  
 K. I. Wright

NOES, 25

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins

R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 N. F. Stacey (*Teller*)  
 Haddon Storey  
 J. A. Taylor (*Teller*)  
 H. R. Ward

And so it passed in the negative.

11 DISCHARGE OF ORDER OF THE DAY—Ordered—That Order of the Day, General Business, No. 6, be discharged.

12 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to increase the Contributions payable by certain Public Authorities under the 'Public Authorities (Contributions) Act 1966'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

13 LAND TAX BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Land Tax Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

14 GIFT DUTY (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Gift Duty Act 1971', and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

15 PAY-ROLL TAX BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to alter the general exemption from Liability to Pay-roll Tax, to amend the 'Pay-roll Tax Act 1971' and the 'Pay-roll Tax Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

16 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty minutes past One o'clock in the morning, adjourned until this day.

A. R. B. McDONNELL  
 Clerk of the Legislative Council

## No. 31—Thursday, 15 November 1979

- 1 The President took the Chair and read the Prayer.
- 2 WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be adjourned until this day six months.

Debate ensued.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Question—That the debate be adjourned until this day six months—proposed.

The Honorable Haddon Storey moved, That the words “this day six months” be omitted with the view of inserting in place thereof “Tuesday next”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 13

The Hon. G. A. S. Butler  
 Joan Cocksedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White (*Teller*)

NOES, 27

The Hon. W. R. Baxter  
 H. G. Baylor (*Teller*)  
 P. D. Block (*Teller*)  
 C. Bubb  
 W. M. Campbell  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

And so it passed in the negative.

Question—That the words proposed to be inserted be so inserted—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 3 BUSINESS FRANCHISE (TOBACCO) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable C. J. Kennedy moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 4 UNCLAIMED MONEYS BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable G. A. S. Butler moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 5 MOTOR CAR (SURCHARGE) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable R. J. Eddy, for the Honorable H. A. Thomas, moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 6 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable R. A. Mackenzie moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 7 LAND TAX BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable G. A. Sgro moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.
- 8 GIFT DUTY (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable E. H. Walker moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 9 VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.
- The Honorable R. J. Eddy, for the Honorable D. E. Kent, moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered, after debate—That the debate be adjourned until the next day of meeting.

- 10 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 to 15 inclusive, the Notices of Motion, General Business and Orders of the Day, General Business, Nos. 1 to 20 inclusive, be postponed until later this day.
11. HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable H. M. Hamilton moved, That this Bill be now read a second time.
- The Honorable W. A. Landeryou moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 12 CONSTITUTION (COUNCIL POWERS) BILL—By leave, on the motion (by leave without notice) of the Honorable W. A. Landeryou, leave was given to bring in a Bill to limit the Powers of the Legislative Council with respect to Money Bills, to amend the *Constitution Act 1975* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 13 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—By leave, on the motion (by leave without notice) of the Honorable W. A. Landeryou, leave was given to bring in a Bill to amend the *Historic Buildings Act 1974*, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 14 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 22 to 42 inclusive, be postponed until later this day.
- 15 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—The Order of the Day having been read for the resumption of the debate on the motion, That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum—
- Debate resumed.
- The Honorable R. A. Mackenzie moved, as an amendment, That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted after the word “Victoria”.
- The Honorable R. J. Long moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 16 PAY-ROLL TAX BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable W. A. Landeryou moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.

17 ADJOURNMENT—The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-eight minutes past Three o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at a Quarter to Five o'clock*

# LEGISLATIVE COUNCIL

## GOVERNMENT BUSINESS

### Orders of the Day

- 1 WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 2 VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. D. E. Kent).
- 3 SECOND-HAND DEALERS (CLOSING HOURS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 4 BUSINESS FRANCHISE (TOBACCO) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. C. J. Kennedy).
- 5 UNCLAIMED MONEYS BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
- 6 MOTOR CAR (SURCHARGE) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. H. A. Thomas).
- 7 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 8 LAND TAX BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. G. A. Sgro).
- 9 GIFT DUTY (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- 10 PAY-ROLL TAX BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 11 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- †12 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †13 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †14 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- ø15 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Haddon Storey).

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.



- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. G. A. SGRO—To move, That there be a Select Committee of eight Members appointed to examine and evaluate the available reports of inquiries into drugs and related matters, and to make recommendations as to action considered necessary to be taken as a result thereof; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 63.

- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978–79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978–79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978–79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978–79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978–79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978–79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978–79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978–79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978–79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978–79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 36 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE No. 1 WELL—To be considered.
- §37 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979–80—To be considered.
- 38 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 39 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978–79—To be considered.
- 40 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978–79—To be considered.
- 41 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 42 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978–79—To be considered.
- 43 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 44 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 45 COUNTRY ROADS BOARD REPORT, 1978–79—To be considered.

- 46 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 47 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §48 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 49 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 50 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 51 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 52 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 53 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 55 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 56 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 57 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 58 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 59 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 60 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 61 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 62 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 63 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 64 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- \*65 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- \*66 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.

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**At 6 o'clock—**

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Monash University Council.

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A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

*Mr President takes the Chair at a Quarter past Two o'clock*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. G. A. SGRO—To move, That there be a Select Committee of eight Members appointed to examine and evaluate the available reports of inquiries into drugs and related matters, and to make recommendations as to action considered necessary to be taken as a result thereof; the Committee to have power to send for persons, papers and records; three to be the quorum.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 36 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE NO. 1 WELL—To be considered.
- §37 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 38 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 39 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 40 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 63.

- 41 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 42 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 43 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 44 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 45 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 46 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 47 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §48 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 49 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate. (Hon. Haddon Storey)*.
- 50 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 51 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 52 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsege*)—*Resumption of debate. (Hon. Haddon Storey)*.
- 53 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 55 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 56 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 57 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 58 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 59 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 60 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 61 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 62 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 63 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate. (Hon. H. R. Ward)*.
- 64 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 65 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 66 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- \*67 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.

- \*68 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- \*69 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- \*70 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- \*71 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- \*72 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.

## GOVERNMENT BUSINESS

### Orders of the Day

- \*1 MAGISTRATES' COURTS (CIVIL JURISDICTION) BILL—(Hon. Haddon Storey)—Second reading.
- \*2 WRONGS (ASSESSMENT OF DAMAGES) BILL—(Hon. Haddon Storey)—Second reading.
- 3 VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—(Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- 4 SECOND-HAND DEALERS (CLOSING HOURS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 5 BUSINESS FRANCHISE (TOBACCO) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).
- 6 UNCLAIMED MONEYS BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. S. Butler).
- 7 MOTOR CAR (SURCHARGE) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. H. A. Thomas).
- 8 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 9 LAND TAX BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- 10 GIFT DUTY (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- 11 PAY-ROLL TAX BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 12 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- †13 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †14 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †15 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ø16 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

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† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

*Mr President takes the Chair at a Quarter past Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—(*Hon. W. V. Houghton*)  
—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 2 SECOND-HAND DEALERS (CLOSING HOURS) BILL—(*Hon. Haddon Storey*)—Second  
reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 3 BUSINESS FRANCHISE (TOBACCO) BILL—(*from Assembly—Hon. Haddon Storey*)  
—Second reading—*Resumption of debate.* (*Hon. C. J. Kennedy*).
- 4 UNCLAIMED MONEYS BILL—(*from Assembly—Hon. Haddon Storey*)—Second  
reading—*Resumption of debate.* (*Hon. G. A. S. Butler*).
- 5 MOTOR CAR (SURCHARGE) BILL—(*from Assembly—Hon. Haddon Storey*)—  
Second reading—*Resumption of debate.* (*Hon. H. A. Thomas*).
- 6 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—(*from Assembly—Hon. Haddon*  
*Storey*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 7 LAND TAX BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. G. A. Sgro*).
- 8 GIFT DUTY (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—  
Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- 9 PAY-ROLL TAX BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading  
—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 10 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(*Hon.*  
*Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- †11 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. W. M. Campbell*).
- †12 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading  
—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †13 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second  
reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ø14 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. Haddon Storey*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of  
eight Members appointed to inquire into and report upon all aspects of  
superannuation; the Committee to have power to send for persons, papers  
and records; three to be the quorum.

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\* *Notifications to which an asterisk (\*) is prefixed appear for the first time.*

† *Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.*

ø *Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.*



- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*4 The Hon. W. A. LANDERYOU—To move, That the consent of the Minister for Conservation to the drilling of East Seacombe No. 1 Well at Shot Point, tabled in this House on 16 October 1979, be revoked.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 63.

- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)  
—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading  
—*Resumption of debate.* (Hon. Haddon Storey).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978–79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978–79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978–79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978–79—MOTION—That the  
Council take note of the Report—(Hon. E. H. Walker)—*Resumption of  
debate.* (Hon. D. G. Crozier).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978–79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978–79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &C, 1978–79—To be  
considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978–79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978–79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978–79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT  
COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J.  
Hunt).
- 36 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND  
AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF  
CONSENT TO DRILLING OF EAST SEACOMBE NO. 1 WELL—To be considered.
- §37 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME,  
1979–80—To be considered.
- 38 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—  
(Hon. E. H. Walker)—*Resumption of debate.* (Hon. K. I. Wright).
- 39 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978–79—To be considered.
- 40 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978–79—To be considered.
- 41 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be  
considered.
- 42 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978–79  
—To be considered.
- 43 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on  
the question*—That there be a Select Committee of eight members appointed  
to continuously assess and recommend works to control erosion, salination,  
water quality and delivery in the River Murray system of Victoria; the  
Committee to have power to send for persons, papers and records; three  
to be the quorum (Hon. D. M. Evans)—*and on the amendment of the Hon.  
R. A. Mackenzie*—That the words "and to assess and recommend works to  
control salination, particularly dryland salting, in all other parts of Victoria"  
be inserted to follow "Victoria"—(Hon. R. J. Long).
- 44 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED  
PETROLEUM GAS—To be considered.
- 45 COUNTRY ROADS BOARD REPORT, 1978–79—To be considered.
- 46 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be  
considered.
- 47 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978–79—To be considered.
- §48 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.

- 49 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(Hon. H. M. Hamilton)—*Resumption of debate.* (Hon. Haddon Storey).
- 50 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
- 51 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978–79—To be considered.
- 52 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. Joan Coxsedge)—*Resumption of debate.* (Hon. Haddon Storey).
- 53 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977–78—To be considered.
- 54 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977–78—To be considered.
- 55 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977–78—To be considered.
- 56 GAS AND FUEL CORPORATION REPORT, 1978–79—To be considered.
- 57 LIBRARY COUNCIL REPORTS, 1976–77 AND 1977–78—To be considered.
- 58 OMBUDSMAN'S ANNUAL REPORT FOR 1978–79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 59 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 60 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978–79—To be considered.
- 61 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978–79—To be considered.
- 62 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 63 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 64 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 65 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 66 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 67 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 68 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 69 PLACE NAMES COMMITTEE REPORT, 1978–79—To be considered.
- 70 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978–79—To be considered.
- 71 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978–79—To be considered.
- 72 STATE SUPERANNUATION BOARD REPORT, 1977–78—To be considered.
- \*73 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. G. A. Sgro)—*Resumption of debate.* (Hon. W. A. Landeryou).

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## TUESDAY, 27 NOVEMBER GOVERNMENT BUSINESS

### Orders of the Day

- 1 MAGISTRATES' COURTS (CIVIL JURISDICTION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 2 WRONGS (ASSESSMENT OF DAMAGES) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

## LEGISLATIVE COUNCIL OF VICTORIA

<h1>MINUTES OF THE PROCEEDINGS</h1>
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## No. 32—Tuesday, 20 November 1979

- 1 The President took the Chair and read the Prayer.
- 2 COUNCIL OF ADULT EDUCATION—The President announced the receipt of the following communication from the Minister of Education:

19 November 1979

Dear Mr President,

The Governor in Council has today accepted the resignation of the Hon. W. A. Landeryou, M.L.C., as a member of the Council of Adult Education.

Section 66 (1) (c) of the Education Act provides that three members of the Council of Adult Education shall be members of the Parliament of Victoria who have been recommended for appointment by a joint sitting of the members of the Legislative Council and the Legislative Assembly conducted in accordance with rules adopted for the purpose by members present at the joint sitting. Mr Landeryou was one of the three members so appointed.

I should be grateful if you could arrange for the coming joint sitting to recommend a member for appointment to the Council to replace Mr Landeryou for the term ending on 4 December 1981.

I have addressed a similar letter to the Speaker of the Legislative Assembly.

Yours sincerely,

A. J. HUNT

Minister of Education

- 3 JOINT SITTING—The President announced the receipt of a Message from the Assembly acquainting the Council that they had agreed to meet the Council for the purpose of sitting and voting together to choose a Member of the Parliament of Victoria to be recommended for appointment to the Council of Adult Education and proposing that the place and time of such meeting be the Legislative Assembly Chamber this day at Six o'clock, and desiring the concurrence of the Council.

The Honorable A. J. Hunt moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose a Member of the Parliament of Victoria to be recommended for appointment to the Council of Adult Education and, as proposed by the Legislative Assembly, the place and time of such meeting be the Legislative Assembly Chamber this day at Six o'clock.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution.

- 4 MAGISTRATES' COURTS (CIVIL JURISDICTION) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to repeal the *Magistrates' Courts (Amendment) Act 1978*, to amend

the *Magistrates' Courts Act 1971* and the *Magistrates (Summary Proceedings) Act 1975* with respect to the Civil Jurisdiction of Magistrates' Courts, to amend the *Water Act 1958*, and for purposes connected therewith, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 5 **WRONGS (ASSESSMENT OF DAMAGES) BILL**—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to make Provision with respect to the Assessment of Damages, to amend the *Wrongs Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

6 **PAPERS—**

**CONVEYANCING**—The Honorable Haddon Storey moved, by leave, That there be laid before this House the Interim Report of the Committee of Inquiry into Conveyancing.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honorable Haddon Storey and ordered to lie on the Table.

The Honorable D. R. White moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Dried Fruits Board—Statement of accounts for the year 1978.

Education Act 1958—Resumption of land at Footscray—Certificate of the Minister of Education.

Place Names Committee—Report for the year 1978–79.

Port of Melbourne Authority—Balance-sheet and statement of accounts for the year 1978–79.

Small Business Development Corporation—Report for the year 1978–79.

Superannuation—Report of the State Superannuation Board for the year 1977–78.

Town and Country Planning Act 1961—City of Horsham Planning Scheme 1973—Amendment No. 27, 1975.

The Honorable E. H. Walker moved, That the Reports and Financial Statements tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 **WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

*Interruption—*

- 8 **JOINT SITTING**—The President announced that the time had arrived for this House to meet the Assembly in the Assembly Chamber for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment to the Monash University Council and the Council of Adult Education.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that this House had met the Legislative Assembly in the Assembly Chamber for the purpose of sitting and voting together to choose Members of the Parliament of Victoria to be recommended for appointment to the Monash University Council and the Council of Adult Education, and that—

Ian Robert Cathie, Esquire, M.P.

The Honorable James Vincent Chester Guest, M.L.C., and  
Neil Malcolm McInnes, M.P.

had been duly chosen to be recommended for appointment to the Council of the Monash University; and

The Honorable Evan Herbert Walker, M.L.C.

had been duly chosen to be recommended for appointment to the Council of Adult Education.

9 WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Debate continued on the question, That this Bill be now read a second time.

The Honorable E. H. Walker moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof the words “this Bill be withdrawn and re-drafted to (a) preserve the established rights of injured workers to compensation payments; and (b) adjust all payments including the table of maims in accordance with an undertaking given by the Chief Secretary in 1975”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb (*Teller*)  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest (*Teller*)  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey

NOES, 13

The Hon. G. A. S. Butler (*Teller*)  
Joan Coxsedg (*Teller*)  
R. J. Eddy  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

J. A. Taylor  
H. R. Ward  
K. I. Wright

And so it was resolved in the affirmative—Amendment negatived.

And the Council having continued to sit until after twelve midnight—

WEDNESDAY, 21 NOVEMBER

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest  
V. T. Hauser  
D. K. Hayward (*Teller*)  
W. V. Houghton  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long (*Teller*)  
J. W. S. Radford  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
J. A. Taylor  
H. R. Ward  
K. I. Wright

NOES, 13

The Hon. G. A. S. Butler  
Joan Coxsedge  
R. J. Eddy (*Teller*)  
C. J. Kennedy (*Teller*)  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

And so it was resolved in the affirmative—Bill read a second time.

The Honorable Haddon Storey moved, That the Bill be now committed.

Question—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
W. M. Campbell  
B. Chamberlain (*Teller*)  
D. G. Crozier  
B. P. Dunn  
D. M. Evans

NOES, 13

The Hon. G. A. S. Butler  
Joan Coxsedge  
R. J. Eddy  
C. J. Kennedy  
D. E. Kent (*Teller*)  
W. A. Landeryou  
R. A. Mackenzie (*Teller*)  
G. A. Sgro  
H. A. Thomas

Dr K. J. Foley ( <i>Teller</i> )	I. B. Trayling
F. J. Granter	E. H. Walker
J. V. C. Guest	J. M. Walton
V. T. Hauser	D. R. White
D. K. Hayward	
W. V. Houghton	
Dr R. W. Howard	
A. J. Hunt	
Glyn Jenkins	
R. I. Knowles	
R. Lawson	
R. J. Long	
J. W. S. Radford	
D. N. Saltmarsh	
N. F. Stacey	
Haddon Storey	
J. A. Taylor	
H. R. Ward	
K. I. Wright	

And so it was resolved in the affirmative—Bill committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had agreed to the Bill without amendment.

The Honorable Haddon Storey moved, That the Report be now adopted.

Question—put.

The Council divided.

AYES, 26

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser (*Teller*)  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

NOES, 12

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White (*Teller*)

And so it was resolved in the affirmative.



The Honorable Haddon Storey moved, That the Bill be now read a third time.  
Question—put.

The Council divided.

AYES, 26	NOES, 12
The Hon. W. R. Baxter	The Hon. G. A. S. Butler
H. G. Baylor	Joan Coxsedg
P. D. Block	R. J. Eddy
C. Bubb	C. J. Kennedy
W. M. Campbell	D. E. Kent
B. A. Chamberlain	W. A. Landeryou
D. G. Crozier	R. A. Mackenzie
B. P. Dunn	G. A. Sgro ( <i>Teller</i> )
D. M. Evans	I. B. Trayling ( <i>Teller</i> )
Dr K. J. Foley	E. H. Walker
F. J. Granter	J. M. Walton
J. V. C. Guest	D. R. White
V. T. Hauser	
D. K. Hayward	
W. V. Houghton	
Dr R. W. Howard	
Glyn Jenkins	
R. I. Knowles	
R. Lawson ( <i>Teller</i> )	
R. J. Long	
J. W. S. Radford ( <i>Teller</i> )	
D. N. Saltmarsh	
N. F. Stacey	
Haddon Storey	
J. A. Taylor	
H. R. Ward	

And so it was resolved in the affirmative—Bill read a third time and passed.  
Question—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment—put.

The Council divided.

AYES, 26	NOES, 12
The Hon. W. R. Baxter	The Hon. G. A. S. Butler ( <i>Teller</i> )
H. G. Baylor	Joan Coxsedg ( <i>Teller</i> )
P. D. Block	R. J. Eddy
C. Bubb	C. J. Kennedy
W. M. Campbell	D. E. Kent
B. A. Chamberlain	W. A. Landeryou
D. G. Crozier	R. A. Mackenzie
B. P. Dunn	G. A. Sgro
D. M. Evans	I. B. Trayling
Dr K. J. Foley	E. H. Walker
F. J. Granter	J. M. Walton
J. V. C. Guest	D. R. White
V. T. Hauser	
D. K. Hayward	
W. V. Houghton	
Dr R. W. Howard	
Glyn Jenkins	

R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh (*Teller*)  
 N. F. Stacey (*Teller*)  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it was resolved in the affirmative.

- 10 ADJOURNMENT—The Honorable Haddon Storey moved, by leave, That the Council, at its rising, adjourn until this day at Two o'clock.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty minutes past Three o'clock in the morning, adjourned until this day at Two o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

## No. 33—Wednesday, 21 November 1979

- 1 The President took the Chair and read the Prayer.
- 2 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 3 DRUGS AND RELATED MATTERS—The Honorable G. A. Sgro moved, That there be a Select Committee of eight Members appointed to examine and evaluate the available reports of inquiries into drugs and related matters, and to make recommendations as to action considered necessary to be taken as a result thereof; the Committee to have power to send for persons, papers and records; three to be the quorum.  
 Debate ensued.  
 The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until later this day.
- 4 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 1 to 62 inclusive, be postponed until later this day.
- 5 EDUCATION POLICIES REVIEW—The Order of the Day having been read for the resumption of the debate on the motion to refer Members' views to the Minister of Education for consideration (for motion see page 120 *ante*)—  
 Debate resumed.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 6 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 64 to 72 inclusive, be postponed until the next day of meeting.

- 7 MAGISTRATES' COURTS (CIVIL JURISDICTION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 8 WRONGS (ASSESSMENT OF DAMAGES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 9 ADJOURNMENT—The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-two minutes past Five o'clock, adjourned until tomorrow.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 34—Thursday, 22 November 1979

- 1 The President took the Chair and read the Prayer.

- 2 APPROPRIATION (1979–80, No. 1) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to appropriate certain Sums out of the Consolidated Fund for the Service of the Financial Year 1979–80 and to appropriate the Supplies granted in this Session of Parliament and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 PRESBYTERIAN TRUSTS BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to make further provision with respect to the Division of certain Property in accordance with *The Uniting Church in Australia Act 1977* and Part III. of the Schedule to the *Presbyterian Church of Australia Act 1971*, to amend the *Presbyterian Trusts Act 1890* and for other purposes.

The President ruled the Bill to be a Private Bill.

The Honorable Haddon Storey moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 4 PRESBYTERIAN SCHOOLS BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to make interim Provision with respect to the Management and Control of certain Schools pending the Determination of certain legal Proceedings and for other purposes.

The President ruled the Bill to be a Private Bill.

The Honorable Haddon Storey moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 5 PAPERS—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961—

Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme—Amendment No. 8.

Latrobe Valley Sub-regional Planning Scheme—Amendment No. 40.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1965—Amendment No. 120, 1978.

- 6 APPROPRIATION (1979–80, No. 1) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable W. A. Landeryou, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 7 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

- 8 BUSINESS FRANCHISE (TOBACCO) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable C. J. Kennedy moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide that all additional revenue raised pursuant to the provisions of this Bill be credited to a fund to be established to provide for medical research and health education programmes”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 26

The Hon. H. G. Baylor  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor (*Teller*)  
 H. R. Ward  
 K. I. Wright

NOES, 13

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy (*Teller*)  
 C. J. Kennedy (*Teller*)  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and had agreed to the following resolution:

That it be a suggestion to the Assembly that they make the following amendment in the Bill, viz.:

Clause 2, line 19, at the end of the clause insert the following new sub-clause:

“( ) In section 10 (2) of the Principal Act for the expression ‘ten-elevenths’ there shall be substituted the expression ‘ $\frac{100}{112}$ ’ ”

and asked leave to sit again.

On the motion of the Honorable Haddon Storey, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 9 SECOND-HAND DEALERS (CLOSING HOURS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 10 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 11 MOTOR CAR (SURCHARGE) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

Question—put.

The Council divided.

AYES, 26

NOES, 13

The Hon. H. G. Baylor (*Teller*)  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward (*Teller*)  
 K. I. Wright

The Hon G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.

The Honorable Haddon Storey moved, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 26

The Hon H. G. Baylor  
 C. Bubb (*Teller*)  
 W. M. Campbell  
 B. A. Chamberlain  
                                 (*Teller*)  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

NOES, 13

The Hon G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro (*Teller*)  
 H. A. Thomas (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 UNCLAIMED MONEYS BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

14 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.

15 LAND TAX BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

The Honorable G. A. Sgro moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for total exemption from land tax where the aggregate unimproved value of lands owned by a person, including that parcel used exclusively as the principal place of residence, does not exceed the sum of \$40 000".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27

The Hon H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley (*Teller*)  
 F. J. Granter  
 J. V. C. Guest (*Teller*)  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward  
 K. I. Wright

NOES, 13

The Hon G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.



The President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

16 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-two minutes past Four o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at a Quarter to Five o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 PRESBYTERIAN TRUSTS BILL—(*Hon. Haddon Storey*)—Second reading.
- \*2 PRESBYTERIAN SCHOOLS BILL—(*Hon. Haddon Storey*)—Second reading.
- 3 BUSINESS FRANCHISE (TOBACCO) BILL—(*from Assembly—Hon. Haddon Storey*)  
—To be further considered in Committee.
- \*4 APPROPRIATION (1979-80, No. 1) BILL—(*from Assembly—Hon. Haddon Storey*)  
—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 5 WRONGS (ASSESSMENT OF DAMAGES) BILL—(*Hon. Haddon Storey*)—Second  
reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 6 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—(*from Assembly—Hon. Haddon*  
*Storey*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 7 MAGISTRATES' COURTS (CIVIL JURISDICTION) BILL—(*Hon. Haddon Storey*)—  
Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 8 GIFT DUTY (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—  
Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- 9 PAY-ROLL TAX BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading  
—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 10 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(*Hon.*  
*Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- †11 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. W. M. Campbell*).
- †12 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading  
—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †13 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second  
reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ø14 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. Haddon Storey*).

### GENERAL BUSINESS

#### Notices of Motion

- 1. The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2. The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979,

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That the consent of the Minister for Conservation to the drilling of East Seacombe No. 1 Well at Shot Point, tabled in this House on 16 October 1979, be revoked.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 63.

- 23 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &C, 1978-79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 36 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE No. 1 WELL—To be considered.
- §37 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 38 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 39 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 40 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 41 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 42 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 43 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(*Hon. R. J. Long*).
- 44 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 45 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 46 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 47 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §48 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 49 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 50 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.

- 51 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 52 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. Joan Coxsedge)—*Resumption of debate.* (Hon. Haddon Storey).
- 53 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 55 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 56 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 57 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 58 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 59 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 60 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 61 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 62 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 63 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(Hon. B. P. Dunn)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 64 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 65 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 66 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 67 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 68 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 69 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 70 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 71 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 72 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 73 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. G. A. Sgro)—*Resumption of debate.* (Hon. W. A. Landeryou).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Notice of Motion

- \*1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to vary the restrictions imposed in relation to the Capital and Shares of The Trustees Executors and Agency Company Limited, to amend the Second Schedule to the *Trustee Companies Act 1958* and for other purposes.

#### Orders of the Day

- \*1 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading.
- \*2 TRUSTEE COMPANIES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading.
- \*3 COUNTY COURT (JURISDICTION) BILL—(*Hon. Haddon Storey*)—Second reading.
- \*4 WATER SUPPLY WORKS AND SERVICES BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading.
- 5 MAGISTRATES' COURTS (CIVIL JURISDICTION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 6 APPROPRIATION (1979–80, No. 1) BILL—(*from Assembly—Hon. Haddon Storey*)—To be committed.
- 7 GIFT DUTY (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- 8 PAY-ROLL TAX BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 9 PRESBYTERIAN TRUSTS BILL—(*Hon. Haddon Storey*)—Second reading.
- 10 PRESBYTERIAN SCHOOLS BILL—(*Hon. Haddon Storey*)—Second reading.
- 11 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- †12 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †13 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †14 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ø15 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. W. A. LANDERYOU—To move, That the consent of the Minister for Conservation to the drilling of East Seacombe No. 1 Well at Shot Point, tabled in this House on 16 October 1979, be revoked.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
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- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.

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- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
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- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
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- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 36 MINISTERIAL STATEMENT—EXPLORATION AND MINING IN WILDLIFE RESERVES AND AREAS MANAGED BY NATIONAL PARKS SERVICE—AND MINISTER'S NOTICE OF CONSENT TO DRILLING OF EAST SEACOMBE No. 1 WELL—To be considered.
- §37 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 38 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 39 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 40 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 41 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 42 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 43 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(*Hon. R. J. Long*).



- 44 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 45 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 46 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 47 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §48 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 49 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 50 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 51 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 52 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 53 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
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- 56 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 57 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 58 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 59 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 60 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 61 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 62 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 63 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 64 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 65 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 66 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 67 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 68 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 69 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 70 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 71 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 72 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 73 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- \*74 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- \*75 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.

\*76 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.

\*77 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.

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**TUESDAY, 4 DECEMBER**  
**GOVERNMENT BUSINESS**

**Order of the Day**

\*1 STATE FORESTS WORKS AND SERVICES BILL—(from Assembly—Hon. F. J. Granter)  
—Second reading—Resumption of debate. (Hon. D. E. Kent).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

**SELECT COMMITTEES**

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at a Quarter past Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 COUNTY COURT (JURISDICTION) BILL—(*Hon. Haddon Storey*)—Second reading.
- \*2 PUBLIC WORKS AND SERVICES BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading.
- 3 GIFT DUTY (AMENDMENT) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- 4 PAY-ROLL TAX BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 5 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading.
- 6 PRESBYTERIAN TRUSTS BILL—(*Hon. Haddon Storey*)—Second reading.
- 7 PRESBYTERIAN SCHOOLS BILL—(*Hon. Haddon Storey*)—Second reading.
- \*8 TRUSTEE COMPANIES (TRUSTEES EXECUTORS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 9 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- 10 TRUSTEE COMPANIES (AMENDMENT) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- †11 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †12 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †13 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ∅14 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.

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\* *Notifications to which an asterisk (\*) is prefixed appear for the first time.*

† *Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.*

∅ *Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.*

- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate. (Hon. H. R. Ward).*
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. W. R. Baxter).*
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate. (Hon. D. E. Kent).*
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 62.

- 23 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §36 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 37 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 38 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 39 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 40 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 41 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 42 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(*Hon. R. J. Long*).
- 43 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 44 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 45 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 46 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §47 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 48 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 49 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 50 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 51 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. Haddon Storey*).

- 52 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 53 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 55 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 56 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 57 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 58 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 59 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 60 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 61 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(Hon. W. A. Landeryou)—Second reading.
- 62 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(Hon. B. P. Dunn)—Resumption of debate. (Hon. W. A. Landeryou).
- 63 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 64 CONSTITUTION (COUNCIL POWERS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 65 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(Hon. W. A. Landeryou)—Second reading.
- 66 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 67 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 68 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 69 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 70 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 71 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 72 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. G. A. Sgro)—Resumption of debate. (Hon. W. A. Landeryou).
- 73 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 74 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
- 75 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 76 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.

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## TUESDAY, 4 DECEMBER GOVERNMENT BUSINESS

### Order of the Day

- 1 STATE FORESTS WORKS AND SERVICES BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. D. E. Kent).
- \*2 TRANSPORT WORKS AND SERVICES BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. R. J. Eddy).

Thursday, 28 November 1979

- \*3 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 4 WATER SUPPLY WORKS AND SERVICES BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. D. R. White).

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

## SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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## LEGISLATIVE COUNCIL OF VICTORIA

## MINUTES OF THE PROCEEDINGS

## No. 35—Tuesday, 27 November 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz:
  - Workers Compensation (Miscellaneous Provisions) Act.*
  - Motor Car (Surcharge) Act.*
  - Unclaimed Moneys Act.*
  - Land Tax Act.*
- 3 STATE FORESTS WORKS AND SERVICES BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize Expenditure on Works and Services and other purposes relating to State Forests*" and desiring the concurrence of the Council therein.
 

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 BUSINESS FRANCHISE (TOBACCO) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make an amendment in such Bill, have made the suggested amendment and desire the concurrence of the Council therein.
 

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.
- 5 SESSIONAL ORDERS—The Honorable A. J. Hunt moved, by leave, That so much of the Sessional Orders as provides for the hours of meeting of the Council, the precedence of business and the limitation of the time for taking new business be suspended until the end of December next, and that until the end of December next Government business shall take precedence of all other business.
 

Question—put and resolved in the affirmative.
- 6 SELECT COMMITTEE ON ALLEGATIONS AGAINST MEMBER OF VICTORIAN DEVELOPMENT CORPORATION—SUSPENSION OF STANDING ORDER No. 207—The Honorable B. A. Chamberlain moved, by leave, That Standing Order No. 207 be suspended in respect of the Select Committee appointed to investigate allegations made in debate by the Honorable D. R. White against Mr G. Robertson, of the Victorian Development Corporation, insofar as necessary to allow—
  - (a) publication of fair and accurate reports of evidence given by witnesses examined at public hearings; and



(b) the release of evidence and other documents to prospective witnesses at the discretion of the Committee.

Question—put and resolved in the affirmative.

- 7 TRUSTEE COMPANIES (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to amend the *Trustee Companies Act* 1958 with respect to the Power of Directors of Trustee Companies to refuse to register Transfers of Shares, to limit the Power of Subsidiaries of Trustee Companies to act as Estate Agents, and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 8 POST-SECONDARY EDUCATION (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable A. J. Hunt, leave was given to bring in a Bill to amend the *Post-Secondary Education Act* 1978, to repeal the *Victoria Institute of Colleges Act* 1965 and the *State College of Victoria Act* 1972 and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 9 COUNTY COURT (JURISDICTION) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to extend the Jurisdiction of the County Court in relation to certain Civil Matters and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 10 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
- Albury-Wodonga (Victoria) Corporation—Report for the year 1977-78.
  - Consumer Affairs Council—Report for the year 1978-79.
  - Education Act 1958—Resumption of land at Cranbourne—Certificate of the Minister of Education.
  - Rural Finance Commission—Report for the year 1978-79.
  - Town and Country Planning Act 1961—City of Shepparton Planning Scheme 1953—Amendment No. 47, 1979.

The Honorable E. H. Walker moved, That the Reports and the Certificate under the *Education Act* 1958 tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 11 STATE FORESTS WORKS AND SERVICES BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable D. E. Kent moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.
- 13 BUSINESS FRANCHISE (TOBACCO) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell, having reported that the Committee had agreed to the Bill, including the amendment

made by the Assembly which was suggested by the Council, without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill, including the amendment made by the Assembly which was suggested by the Council, without further amendment.

14 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

15 WRONGS (ASSESSMENT OF DAMAGES) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable W. A. Landeryou moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “the proposals contained in the Bill be referred to the Statute Law Revision Committee for examination and report”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton (*Teller*)  
 V. T. Hauser (*Teller*)  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 Haddon Storey  
 H. R. Ward  
 K. I. Wright

NOES, 12

The Hon. G. A. S. Butler (*Teller*)  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 D. R. White (*Teller*)

And so it was resolved in the affirmative—Amendment negated.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Legislative Assembly with a Message desiring their concurrence therein.

- 16 PUBLIC AUTHORITIES (CONTRIBUTIONS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

Question—put.

The Council divided.

AYES, 23

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 D. K. Hayward (*Teller*)  
 W. V. Houghton  
 Dr R. W. Howard  
   (*Teller*)  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 J. W. S. Radford  
 Haddon Storey  
 H. R. Ward

NOES, 12

The Hon. G. A. S. Butler  
 Joan Coxsedg (*Teller*)  
 R. J. Eddy (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable D. M. Evans having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 APPROPRIATION (1979–80, No. 1) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

And the Council having continued to sit until after Twelve midnight—

WEDNESDAY, 28 NOVEMBER

Debate continued.

Question—put and resolved in the affirmative—Bill read a second time.

The Honorable Haddon Storey moved, That the Bill be committed to a Committee of the whole on the next day of meeting.

Question—put and resolved in the affirmative.

- 18 **WATER SUPPLY WORKS AND SERVICES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize Expenditure on Works and Services and other Purposes relating to Irrigation Water Supply Drainage Sewerage Flood Protection and River Improvement, and other purposes*" and desiring the concurrence of the Council therein. On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 19 **ADJOURNMENT**—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until this day at Four o'clock.  
Question—put and resolved in the affirmative.  
The Honorable A. J. Hunt moved, That the House do now adjourn.  
Debate ensued.  
Question—put and resolved in the affirmative.
- And then the Council, at thirty-nine minutes past Twelve o'clock in the morning, adjourned until this day at Four o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 36—Wednesday, 28 November 1979

- 1 The President took the Chair and read the Prayer.
- 2 **TRANSPORT WORKS AND SERVICES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize Expenditure on Works and Services and other Purposes relating to Railways and other services*" and desiring the concurrence of the Council therein. On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 **MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to increase the limit of the Borrowing Powers of the Melbourne and Metropolitan Tramways Board and for other purposes*" and desiring the concurrence of the Council therein. On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 **PETITION—LAND CONSERVATION COUNCIL RECOMMENDATIONS ON ALPINE AREA**—The Honorable J. A. Taylor presented a Petition from certain citizens of Victoria praying that no recommendations of the Land Conservation Council in respect of the Alpine Area be adopted which would adversely affect employment or diminish future opportunity for employment in Gippsland.  
Ordered to lie on the Table.
- 5 **POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY**—Ordered—That the consideration of the Notice of Motion and Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1, to 3 inclusive, be postponed until later this day.

- 6 DISCUSSION OF COGNATE MATTERS—The Honorable W. A. Landeryou moved, That this House authorizes and requires the Honorable the President to permit discussion upon Order of the Day, General Business No. 36, which Order deals with exploration and mining in wildlife reserves, &c., in conjunction with debate upon Notice of Motion, General Business No. 4.  
Question—put and resolved in the affirmative.
- 7 EAST SEACOMBE NO. 1 WELL, SHOT POINT—CONSENT TO DRILLING OPERATIONS—The Honorable W. A. Landeryou moved, That the consent of the Minister for Conservation to the drilling of East Seacombe No. 1 Well at Shot Point, tabled in this House on 16 October 1979, be revoked.  
Debate ensued.  
The Honorable W. A. Landeryou moved, That the question be not now put.  
Question—put and resolved in the affirmative.
- 8 DISCHARGE OF ORDER OF THE DAY—Ordered—That Order of the Day, General Business, No. 36, be discharged.
- 9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until later this day.
- 10 TRUSTEE COMPANIES (TRUSTEES EXECUTORS) BILL—On the motion of the Honorable Haddon Storey, leave was given to bring in a Bill to vary the restrictions imposed in relation to the Capital and Shares of The Trustees Executors and Agency Company Limited, to amend the Second Schedule to the *Trustee Companies Act 1958* and for other purposes.  
The President ruled the Bill to be a Private Bill.  
The Honorable Haddon Storey moved, That this Bill be dealt with as a Public Bill except in relation to the payment of fees.  
Question—put and resolved in the affirmative.  
The Honorable Haddon Storey produced a receipt showing that the sum of \$200 had been paid into the Treasury for the public uses of the State and moved, That this Bill be now read a first time.  
Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 11 TRUSTEE COMPANIES (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 12 TRUSTEE COMPANIES (TRUSTEES EXECUTORS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 13 TRANSPORT WORKS AND SERVICES BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.  
The Honorable R. J. Eddy moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 14 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 15 WATER SUPPLY WORKS AND SERVICES BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier, for the Honorable F. J. Granter, moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable D. R. White, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 16 MAGISTRATES' COURTS (CIVIL JURISDICTION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 17 APPROPRIATION (1979–80, No. 1) BILL—The Order of the Day having been read for the committal of this Bill to a Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 PUBLIC WORKS AND SERVICES BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize Expenditure on Public Works and Services and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 19 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Eleven o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-two minutes past Eleven o'clock, adjourned until tomorrow at Eleven o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 37—Thursday, 29 November 1979

- 1 The President took the Chair and read the Prayer.
- 2 VICTORIAN GOVERNMENT TRAVEL AUTHORITY (RECONSTITUTION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Victorian Government Travel Authority Act 1977’ to make Provision with respect to the Reconstitution of the Authority and for other purposes*” and desiring the concurrence of the Council therein. On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 RACING (FINANCIAL PROVISIONS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make Provision with respect to the Commissions deducted from Trifecta Totalizators, the Borrowing Powers of the Totalizator Agency Board and for other purposes*” and desiring the concurrence of the Council therein. On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
State Electricity Commission—Report for the year 1978–79.  
The Honorable W. A. Landeryou moved, That this Report be taken into consideration on the next day of meeting.  
Question—put and resolved in the affirmative.
- 5 COUNTY COURT (JURISDICTION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 6 VICTORIAN GOVERNMENT TRAVEL AUTHORITY (RECONSTITUTION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.  
The Honorable D. R. White moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 7 PUBLIC WORKS AND SERVICES BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.  
The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until Tuesday next.

8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

9 POST-SECONDARY EDUCATION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable E. H. Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

10 GIFT DUTY (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

The Honorable E. H. Walker moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to maintain existing general exemptions and include provisions to exempt transfer of—(a) the family home into joint ownership with a *de jure* or *de facto* spouse; and (b) the family farm between full-time farmers and members of their immediate families”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright (*Teller*)

NOES, 13

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy (*Teller*)  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White



And so it was resolved in the affirmative—Amendment negated.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 11 PAY-ROLL TAX BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—Debate resumed.

The Honorable W. A. Landeryou moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to include a provision granting to all employers covered by the *Pay-roll Tax Act 1971*, \$1300 for each additional person employed in calendar year 1980”.

Question—That the words proposed to be omitted stand part of the question—put. The Council divided.

AYES, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson (*Teller*)  
 R. J. Long  
 J. W. S. Radford (*Teller*)  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

NOES, 13

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro (*Teller*)  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negated.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole House in Committee.

The Deputy-President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 12 RACING (FINANCIAL PROVISIONS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.
- The Honorable R. J. Eddy, for the Honorable I. B. Trayling, moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.
- 13 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.
- 14 PRESBYTERIAN SCHOOLS BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.
- The Honorable W. A. Landeryou moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered, after debate—That the debate be adjourned until the next day of meeting.
- 15 POSTPONEMENT OF ORDERS OF THE DAY AND NOTICES OF MOTION—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 to 14 inclusive, the Notices of Motion, General Business and Orders of the Day, General Business, Nos. 1 to 50 inclusive, be postponed until later this day.
- 16 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—The Order of the Day having been read for the resumption of the debate on the Motion for the appointment of a Select Committee to inquire into rape (for motion see page 116 *ante*)—
- Debate resumed.
- The Honorable H. R. Ward moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 17 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 52 to 61 inclusive, be postponed until later this day.
- 18 EDUCATION POLICIES REVIEW—The Order of the Day having been read for the resumption of the debate on the motion to refer Members' views to the Minister of Education for consideration (for motion see page 120 *ante*)—
- Debate resumed.
- The Honorable H. R. Ward moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.
- 19 PRESBYTERIAN TRUSTS BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.
- The Honorable W. A. Landeryou moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until the next day of meeting.

20 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at Four o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-two minutes past Four o'clock, adjourned until Tuesday next at Four o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 TRANSPORT WORKS AND SERVICES BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 2 STATE FORESTS WORKS AND SERVICES BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. D. E. Kent).
- 3 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 4 WATER SUPPLY WORKS AND SERVICES BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. D. R. White).
- 5 PUBLIC WORKS AND SERVICES BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 6 COUNTY COURT (JURISDICTION) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 7 TRUSTEE COMPANIES (TRUSTEES EXECUTORS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 8 TRUSTEE COMPANIES (AMENDMENT) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 9 PRESBYTERIAN TRUSTS BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 10 PRESBYTERIAN SCHOOLS BILL—(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- \*11 VICTORIAN GOVERNMENT TRAVEL AUTHORITY (RECONSTITUTION) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. D. R. White).
- \*12 RACING (FINANCIAL PROVISIONS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. I. B. Trayling).
- 13 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- 14 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- †15 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †16 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †17 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø18 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate. (Hon. H. R. Ward).*
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 62.

- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §36 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 37 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 38 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 39 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 40 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 41 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 42 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(*Hon. R. J. Long*).
- 43 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.

- 44 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 45 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 46 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §47 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 48 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 49 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 50 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 51 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 52 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 53 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 55 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 56 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 57 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 58 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 59 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 60 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 61 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 62 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 63 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 64 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 66 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 67 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 68 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 69 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 70 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 71 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 72 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 73 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 74 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.

- 75 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 76 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
- \*77 STATE ELECTRICITY COMMISSION REPORT, 1978-79—To be considered.

A. R. B. McDONNELL  
 Clerk of the Legislative Council

FRED S. GRIMWADE  
 President

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**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

**SELECT COMMITTEES**

- ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.
- COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.
- CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.
- HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.
- LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.
- PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.
- ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.
- STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.
- STATUTE LAW REVISION (JOINT)—The Honorables Joan Cocksedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.
- SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at Two o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 STATE FORESTS WORKS AND SERVICES BILL—(from Assembly—Hon. F. J. Granter)  
—Second reading—Resumption of debate. (Hon. D. E. Kent).
- 2 PUBLIC WORKS AND SERVICES BILL—(from Assembly—Hon. D. G. Crozier)—  
Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 3 VICTORIAN GOVERNMENT TRAVEL AUTHORITY (RECONSTITUTION) BILL—(from  
Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate.  
(Hon. D. R. White).
- 4 RACING (FINANCIAL PROVISIONS) BILL—(from Assembly—Hon. F. J. Granter)  
—Second reading—Resumption of debate. (Hon. I. B. Trayling).
- \*5 URBAN LAND AUTHORITY BILL—(from Assembly—Hon. F. J. Granter)—Second  
reading—Resumption of debate. (Hon. E. H. Walker).
- 6 PRESBYTERIAN TRUSTS BILL—(Hon. Haddon Storey)—Second reading—  
Resumption of debate. (Hon. W. A. Landeryou).
- 7 PRESBYTERIAN SCHOOLS BILL—(Hon. A. J. Hunt)—Second reading—Resumption  
of debate. (Hon. W. A. Landeryou).
- 8 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(Hon.  
Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- 9 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second  
reading—Resumption of debate. (Hon. E. H. Walker).
- †10 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—  
Resumption of debate. (Hon. W. M. Campbell).
- †11 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading  
—Resumption of debate. (Hon. W. M. Campbell).
- †12 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second  
reading—Resumption of debate. (Hon. W. M. Campbell).
- ∅13 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—  
Resumption of debate. (Hon. Haddon Storey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of  
eight Members appointed to inquire into and report upon all aspects of  
superannuation; the Committee to have power to send for persons, papers  
and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee  
of eight Members appointed to inquire into and report upon all aspects of

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manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.

- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 62.

- 24 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
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- 37 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 38 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 39 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 40 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 41 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 42 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(*Hon. R. J. Long*).
- 43 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 44 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 45 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 46 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §47 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 48 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 49 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 50 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 51 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. H. R. Ward*).

- 52 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 53 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
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- 57 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 58 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 59 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
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- 61 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 62 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 63 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 64 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 66 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 67 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 68 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
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- \*78 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978-79—To be considered.
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- \*80 INDUSTRIAL TRAINING COMMISSION REPORT, 1978-79—To be considered.
- \*81 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- \*82 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- \*83 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- \*84 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- \*85 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.

- \*86 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- \*87 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- \*88 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.

A. R. B. McDONNELL  
 Clerk of the Legislative Council

FRED S. GRIMWADE  
 President

**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.  
 TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

**SELECT COMMITTEES**

- ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.
- COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.
- CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.
- HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.
- LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.
- PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.
- ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.
- STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.
- STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.
- SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 STAMPS (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*2 MOTOR CAR (FEES) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*3 PUBLIC SERVICE (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- 4 VICTORIAN DEVELOPMENT CORPORATION (POWERS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading.
- 5 PUBLIC WORKS AND SERVICES BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 6 PRESBYTERIAN SCHOOLS BILL—(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 7 VICTORIAN GOVERNMENT TRAVEL AUTHORITY (RECONSTITUTION) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. D. R. White).
- 8 RACING (FINANCIAL PROVISIONS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. I. B. Trayling).
- 9 URBAN LAND AUTHORITY BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- 10 PRESBYTERIAN TRUSTS BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 11 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- 12 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- †13 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †14 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- †15 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- ∅16 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Haddon Storey).

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† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

∅ Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

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- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
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- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
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- 79 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
- 80 INDUSTRIAL TRAINING COMMISSION REPORT, 1978-79—To be considered.

- 81 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 82 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- 83 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 84 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 85 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 86 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 87 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- 88 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
- \*89 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

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## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

## SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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# MINUTES OF THE PROCEEDINGS

## No. 38—Tuesday, 4 December 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented Messages from His Excellency the Governor informing the Council—  
That he had, on 30 November 1979, given the Royal Assent to the undermentioned Act presented to him by the Honorable the Speaker of the Legislative Assembly, viz:  
*Appropriation (1979–80, No. 1) Act.*  
That he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz:  
On 30 November 1979—  
*Business Franchise (Tobacco) Act.*  
*Public Authorities (Contributions) Act.*  
On 4 December 1979—  
*Gift Duty (Amendment) Act.*  
*Pay-roll Tax Act.*
- 3 URBAN LAND AUTHORITY BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish an Urban Land Authority to make Provision with respect to the Functions and Powers of the Authority and for other purposes*” and desiring the concurrence of the Council therein.  
On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.  
Ordered—That the amendments be taken into consideration later this day.
- 5 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:  
Education Act 1958—Resumption of land at Wantirna—Certificate of the Minister of Education.  
Emerald Tourist Railway Board—Financial statements for the year 1978–79.  
Geelong Regional Commission—Report for the period ended 30 June 1978.  
Industrial Training Commission—Report for the year 1978–79.  
Port Phillip Authority—Consolidated report for the period ended 30 June 1979.  
Poultry Farmer Licensing Committee—Report for the year ended 28 February 1979.  
River Murray Commission—Report for the year 1978–79.  
State Development—Report of the Department of State Development, Decentralization and Tourism for the year 1978–79.

Statutory Rules under the following Acts of Parliament:

- Administration and Probate Act 1958—Supreme Court Act 1958—No. 415.
- Chiropodists Act 1968—No. 399.
- Country Fire Authority Act 1958—Nos. 423 to 428.
- Health Act 1958—Nos. 396, 404 and 412.
- Land Tax Act 1958—No. 400.
- Legal Profession Practice Act 1958—No. 413.
- Marine Act 1958—No. 402.
- Melbourne and Metropolitan Board of Works Act 1958—No. 408.
- Motor Car Act 1958—Nos. 410 and 421.
- Nurses Act 1958—No. 406.
- Parliamentary Salaries and Superannuation Act 1968—No. 403.
- Police Regulation Act 1958—No. 401.
- Private Agents Act 1966—No. 420.
- Public Service Act 1974—PSD Nos. 76, 79 to 86 and 88.
- Reference Areas Act 1978—No. 418.
- State Savings Bank Act 1958—No. 407.
- Superannuation Benefits Act 1977—No. 409.
- Supreme Court Act 1958—No. 414.
- Victorian Film Corporation Act 1976—No. 411.
- Town and Country Planning Act 1961—
  - Maldon Planning Scheme—Amendment No. 2.
  - Newham and Woodend—Shire of Newham and Woodend Planning Scheme—Amendment No. 7.
  - Stawell—Town of Stawell Planning Scheme 1963—Amendment No. 16, 1978.
  - Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 11, 1977, with map (two papers).
- Victoria Institute of Colleges—Report of the Council, together with statement of income and expenditure, for the year 1978.
- Victorian Brown Coal Council—Report for the period ended 30 June 1979.
- Victorian Egg Marketing Board—Report for the pool year ended 30 June 1979.
- Victorian Public Offices Corporation—Report and accounts for the year 1978–79.

The Honorable E. H. Walker moved, That the Reports and Financial Statements tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 TRANSPORT WORKS AND SERVICES BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee-of the whole. House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 7 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—The Order of the Day for the consideration of the amendments made by the Assembly in this Bill having been read, the said amendments were read and are as follows:

1 Clause 3, line 38, omit “deemed to have been” and insert “and shall be deemed to have been always”.

- 2 Clause 3, page 3, line 13, omit "validly come into operation on" and insert "and to have had full operation and effect on and from".
- 3 Schedule, Table A, page (vii), columns 4 and 5, after—  
 "11.4.79 An amendment in the form of the Ballaarat and District Planning Scheme 1966, Amendment No. 48, approved by the Governor in Council on 10.4.79".
- insert—  
 '20.6.79 An amendment in the form of the Ballaarat and District Planning Scheme Amendment No. "G" approved by the Governor in Council on 12.6.79.'
- 4 Schedule, Table A, page (xi), columns 4 and 5, after—  
 "21.12.77 An amendment in the form of the Ballaarat and District Planning Scheme 1966, Amendment No. 7—1977 (Shire of Ballarat) approved by the Governor in Council on 13.12.77."
- insert—  
 '20.6.79 An amendment in the form of the Ballaarat and District Planning Scheme Amendment No. "G" approved by the Governor in Council on 12.6.79.'
- 5 Schedule, Table A, page (xvi), columns 4 and 5, after—  
 "20.12.78 An amendment in the form of the Ballaarat and District Planning Scheme 1966, Amendment No. 8, 1978 (Shire of Bungaree) approved by the Governor in Council on 19.12.78."
- insert—  
 '20.6.79 An amendment in the form of the Ballaarat and District Planning Scheme Amendment No. "G" approved by the Governor in Council on 12.6.79.'
- 6 Schedule, Table A, page (xix), columns 4 and 5, after—  
 "5.7.78 An amendment in the form of the Ballaarat and District Planning Scheme 1966, (Shire of Buninyong) Amendment No. 6 approved by the Governor in Council on 27.6.78."
- insert—  
 '20.6.79 An amendment in the form of the Ballaarat and District Planning Scheme Amendment No. "G" approved by the Governor in Council on 12.6.79.'
- 7 Schedule, Table A, page (xxi), columns 4 and 5, after—  
 "19.4.78 An amendment in the form of the Ballaarat and District Planning Scheme, Amendment No. 2 (Shire of Grenville) approved by the Governor in Council on 11.4.78."
- insert—  
 '20.6.79 An amendment in the form of the Ballaarat and District Planning Scheme Amendment No. "G" approved by the Governor in Council on 12.6.79.'
- 8 Schedule, Table A, page (xxv), columns 4 and 5, after—  
 "13.6.79 An amendment in the form of the Ballaarat and District Planning Scheme 1966, (Borough of Sebastopol) Amendment No. 13 approved by the Governor in Council on 5.6.79."
- insert—  
 '20.6.79 An amendment in the form of the Ballaarat and District Planning Scheme Amendment No. "G" approved by the Governor in Council on 12.6.79.'

9 Schedule, Table A, page (xxxi), at the end of the Table insert—

"Hazelwood Planning Scheme	25.11.64	This scheme shall be deemed to consist of the Hazelwood Joint Planning Scheme 1963 approved by the Governor in Council on 17.11.64	12.3.75	An amendment in the form of the Hazelwood Joint Planning Scheme 1963, Amendment No. 2, 1969 approved by the Governor in Council on 4.3.75	Shire of Morwell
			12.3.75	An amendment in the form of the Hazelwood Joint Planning Scheme 1963, Amendment No. 3, 1973 approved by the Governor in Council on 4.3.75	
			31.8.77	An amendment in the form of the Hazelwood Joint Planning Scheme Amendment No. 3A approved by the Governor in Council on 23.8.77	
			16.4.75	An amendment in the form of the Hazelwood Joint Planning Scheme 1963, Amendment No. 4, 1975 approved by the Governor in Council on 8.4.75	
			23.4.76	An amendment in the form of the Hazelwood Joint Planning Scheme 1963, Amendment No. 5, 1975 approved by the Governor in Council on 13.4.76	
			23.6.76	An amendment in the form of the Hazelwood Joint Planning Scheme, Amendment No. 6, 1976 approved by the Governor in Council on 16.6.76	

- 9.2.77 An amendment in the form of the Hazelwood Joint Planning Scheme, Amendment No. 6A, 1976 approved by the Governor in Council on 2.2.77
  
- 29.9.76 An amendment in the form of the Hazelwood Joint Planning Scheme, Amendment No. 7, 1976 approved by the Governor in Council on 21.9.76
  
- 14.2.79 An amendment in the form of the Hazelwood Joint Planning Scheme, Amendment No. 8, 1978 approved by the Governor in Council on 6.2.79"

- 10 Schedule, Table B, page (xxxii), at the end of the Table insert—  
 “Hazelwood Joint Planning Scheme 1963 approved by the Governor in Council on 17.11.64.”
- 11 Schedule, Table C, pages (xxxv) and (xxxvi), omit—  
 “Hazelwood Joint Planning Scheme 1963 approved by the Governor in Council on 17.11.64
- |   |         |         |
|---|---------|---------|
| Hazelwood Joint Planning Scheme 1963, Amendment No. 2, 1969 | 4.3.75  | 12.3.75 |
| Hazelwood Joint Planning Scheme 1963, Amendment No. 3, 1973 | 4.3.75  | 12.3.75 |
| Hazelwood Joint Planning Scheme, Amendment No. 3A           | 23.8.77 | 31.8.77 |
| Hazelwood Joint Planning Scheme 1963, Amendment No. 4, 1975 | 8.4.75  | 16.4.75 |
| Hazelwood Joint Planning Scheme 1963, Amendment No. 5, 1975 | 13.4.76 | 23.4.76 |
| Hazelwood Joint Planning Scheme, Amendment No. 6, 1976      | 16.6.76 | 23.6.76 |
| Hazelwood Joint Planning Scheme, Amendment No. 6A, 1976     | 2.2.77  | 9.2.77  |
| Hazelwood Joint Planning Scheme, Amendment No. 7, 1976      | 21.9.76 | 29.9.76 |
| Hazelwood Joint Planning Scheme, Amendment No. 8, 1978”     | 6.2.79  | 14.2.79 |

The Honorable A. J. Hunt moved, That the Council agree to the amendments made by the Assembly.

The Honorable W. A. Landeryou, for the Honorable E. H. Walker, moved, That the debate be adjourned until later this day.

Question—put and resolved in the affirmative.

- 8 URBAN LAND AUTHORITY BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable E. H. Walker, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 5 inclusive, be postponed until later this day.

- 10 COUNTY COURT (JURISDICTION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.



House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 TRUSTEE COMPANIES (TRUSTEES EXECUTORS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 12 TRUSTEE COMPANIES (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 13 MELBOURNE AND METROPOLITAN TRAMWAYS (BORROWING POWERS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 TOWN AND COUNTRY PLANNING (PLANNING SCHEMES) BILL—The Order of the Day having been read for the resumption of debate on the question, That the Council agree to the amendments made by the Assembly in this Bill—Debate resumed.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 15 WATER SUPPLY WORKS AND SERVICES BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable W. R. Baxter moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "the Bill be withdrawn so as to permit the Minister to reconsider the obviously inadequate allocation of funds therein and to have the Bill re-drafted to provide sufficient funds for water supply works and services".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 22

The Hon. H. G. Baylor  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 J. W. S. Radford  
 N. B. Reid (*Teller*)  
 D. N. Saltmarsh  
*(Teller)*  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward

NOES, 16

The Hon. W. R. Baxter  
 G. A. S. Butler  
 Joan Cocksedge  
 B. P. Dunn  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White  
 K. I. Wright (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

16 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after Twelve midnight—

WEDNESDAY, 5 DECEMBER

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at four minutes past Twelve o'clock in the morning, adjourned until this day at a quarter to Two o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 39—Wednesday, 5 December 1979

- 1 The President took the Chair and read the Prayer.
- 2 STAMPS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Stamps Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 MOTOR CAR (FEES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Motor Car Act 1958' with respect to the Amount of Registration Fees and certain other Fees payable under that Act, to amend the 'Stamps Act 1958', and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 YOUNG MEN'S CHRISTIAN ASSOCIATION OF BALLARAT (GUARANTEE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize the Treasurer of Victoria to guarantee the Repayment of certain Moneys proposed to be borrowed by the Young Men's Christian Association of Ballarat and for other purposes*" and desiring the concurrence of the Council therein.

The President ruled the Bill to be a Private Bill.

The Honorable Haddon Storey moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:  
 Youth, Sport and Recreation—Report of the Director-General for the year 1978–79.  
 The Honorable E. H. Walker moved, That the Report be taken into consideration on the next day of meeting.  
 Question—put and resolved in the affirmative.
- 6 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 61 inclusive, be postponed until later this day.
- 7 EDUCATION POLICIES REVIEW—The Order of the Day having been read for the resumption of the debate on the motion to refer Members' views to the Minister of Education for consideration (for motion see page 120 *ante*)—  
 Debate resumed.  
 The Honorable Dr R. W. Howard moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until the next day of meeting.
- 8 MESSAGES FROM THE LEGISLATIVE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and notifying agreement to the same without amendment:  
 County Court (Jurisdiction) Bill.  
 Trustee Companies (Trustees Executors) Bill.
- 9 PUBLIC SERVICE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Public Service Act 1974' and for other purposes*" and desiring the concurrence of the Council therein.  
 On the motion of the Honorable Haddon Storey, for the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 10 YOUNG MEN'S CHRISTIAN ASSOCIATION OF BALLARAT (GUARANTEE) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
 The Honorable R. J. Eddy moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until later this day.
- 11 STATE FORESTS WORKS AND SERVICES BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—  
 Debate resumed.  
 The Honorable D. M. Evans moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide an adequate allocation of funds to properly carry out the responsibilities of the Minister of Forests and the Forests Commission to the State of Victoria".  
 Debate ensued.  
 Question—That the words proposed to be omitted stand part of the question—put.  
 The Council divided.

## AYES, 23

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey (*Teller*)  
 Haddon Storey  
 J. A. Taylor (*Teller*)  
 H. R. Ward

## NOES, 17

The Hon. W. R. Baxter  
 G. A. S. Butler  
 Joan Coxsedge  
 B. P. Dunn  
 R. J. Eddy  
 D. M. Evans (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White  
 K. I. Wright

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 YOUNG MEN'S CHRISTIAN ASSOCIATION OF BALLARAT (GUARANTEE) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 VICTORIAN DEVELOPMENT CORPORATION (POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian Development Corporation Act 1973' to make Provision with respect to the Corporation and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

14 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Eleven o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-one minutes past Six o'clock, adjourned until tomorrow at a quarter to Eleven o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 40—Thursday, 6 December 1979

1 The President took the Chair and read the Prayer.

2 COMMERCIAL GOODS VEHICLES (AVIATION FUEL) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend Section 5 and Section 13 of the ‘Commercial Goods Vehicles Act 1958’ with respect to the Carriage of Aviation Turbine Fuel to the Melbourne Airport at Tullamarine*” and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

3 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable I. B. Trayling moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to exercise adequate Ministerial oversight and control over the Trotting Control Board”; and six other Honorable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

### AYES, 16

The Hon. W. R. Baxter  
G. A. S. Butler  
B. P. Dunn  
R. J. Eddy  
D. M. Evans  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling (*Teller*)  
E. H. Walker  
J. M. Walton  
D. R. White (*Teller*)  
K. I. Wright

### NOES, 24

The Hon. H. G. Baylor  
P. D. Block  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
Dr K. J. Foley  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long

J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey (*Teller*)  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward (*Teller*)

And so it passed in the negative.

- 4 LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to amend the *Local Government Act 1958*, the *Dandenong Valley Authority Act 1963*, the *Drainage of Land Act 1975*, and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 6 inclusive, be postponed until later this day.
- 6 VICTORIAN GOVERNMENT TRAVEL AUTHORITY (RECONSTITUTION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

- 7 STAMPS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable C. J. Kennedy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 8 MOTOR CAR (FEES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable Joan Coxsedg, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 9 LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 10 COMMERCIAL GOODS VEHICLES (AVIATION FUEL) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou, for the Honorable G. A. S. Butler, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 11 VICTORIAN DEVELOPMENT CORPORATION (POWERS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 12 RAILWAY CONSTRUCTION AND PROPERTY BOARD BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to reconstitute the Railway Construction Board as the Railway Construction and Property Board, to confer additional functions on that Board, to make better Provision for the Development and Management of Railway Land not used directly for Railway purposes, to make further provision for railway housing, to amend the 'Railways Act 1958', the 'Melbourne Underground Rail Loop Act 1970', the 'Land Act 1958' and the 'Ministry of Transport Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 13 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 8 and 9, be postponed until later this day.

- 14 PRESBYTERIAN TRUSTS BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 15 PRESBYTERIAN SCHOOLS BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair, and the Honorable V. T. Hauser reported that the Committee had agreed to the Bill with amendments.

The Honorable A. J. Hunt moved, That the Report be now adopted.



Question—put.

The Council divided.

AYES, 24

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 Haddon Storey  
 J. A. Taylor (*Teller*)  
 H. R. Ward

NOES, 12

The Hon. G. A. S. Butler (*Teller*)  
 R. J. Eddy (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Report adopted.

The Honorable A. J. Hunt moved, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 24

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid (*Teller*)

NOES, 12

The Hon. G. A. S. Butler  
 R. J. Eddy  
 C. J. Kennedy (*Teller*)  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

D. N. Saltmarsh (*Teller*)  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 16 PUBLIC SERVICE (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey, for the Honorable A. J. Hunt, moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 17 COMMERCIAL GOODS VEHICLES (AVIATION FUEL) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 VICTORIAN DEVELOPMENT CORPORATION (POWERS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable D. R. White moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to require the establishment of an economic research unit to prepare an evaluation of the potential of secondary and tertiary industries to which it is intended that new investment be attracted from overseas interstate and local sources, and further to require that the details of all loans be disclosed”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 25

The Hon. W. R. Baxter  
 H. G. Baylor (*Teller*)  
 C. Bubb (*Teller*)  
 W. M. Campbell  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans

NOES, 11

The Hon. G. A. S. Butler  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro (*Teller*)

Dr K. J. Foley	H. A. Thomas
F. J. Granter	I. B. Trayling
J. V. C. Guest	J. M. Walton
H. M. Hamilton	D. R. White
V. T. Hauser	
D. K. Hayward	
Dr R. W. Howard	
Glyn Jenkins	
R. I. Knowles	
R. Lawson	
R. J. Long	
J. W. S. Radford	
N. B. Reid	
D. N. Saltmarsh	
N. F. Stacey	
Haddon Storey	
J. A. Taylor	
H. R. Ward	

And so it was resolved in the affirmative—Amendment negated.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

19 MEMBER NAMED AND SUSPENDED—The Honorable W. A. Landeryou having been named by the President for wilfully disregarding the authority of the Chair—

The Honorable Haddon Storey moved, That the Honorable W. A. Landeryou be suspended from the service of the Council during the remainder of the sitting.

Question—put.

The Council divided:

AYES, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb  
 W. M. Campbell  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest (Teller)  
 H. M. Hamilton  
 V. T. Hauser (Teller)  
 D. K. Hayward  
 Dr R. W. Howard

NOES, 11

The Hon. G. A. S. Butler  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton (Teller)  
 D. R. White (Teller)

Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it was resolved in the affirmative.

- 20 INDUSTRIAL RELATIONS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to constitute an Industrial Relations Commission of Victoria, to make Provision for the Constitution of Conciliation and Arbitration Boards, to make Provision with respect to the Recognition of Industrial Associations, to make Provision with respect to certain Conditions of Employment, to amend the ‘Labour and Industry Act 1958’ and the ‘Industrial Training Act 1975’ and the ‘Building Industry Long Service Leave Act 1975’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 21 PUBLIC WORKS AND SERVICES BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

And having continued to sit until after Twelve midnight—

#### FRIDAY, 7 DECEMBER

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 22 ADJOURNMENT—The Honorable Haddon Storey moved, That the Council, at its rising, adjourn until Tuesday next at Two o’clock.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-five minutes past Twelve o’clock in the morning, adjourned until Tuesday next at Two o’clock.

A. R. B. McDONNELL  
 Clerk of the Legislative Council

*Mr President takes the Chair at a Quarter past Two o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 INDUSTRIAL RELATIONS BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*2 RAILWAY CONSTRUCTION AND PROPERTY BOARD BILL—(from Assembly—Hon. D. G. Crozier)—Second reading.
- \*3 LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL—(Hon. D. G. Crozier) Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 4 PUBLIC WORKS AND SERVICES BILL—(from Assembly—Hon. D. G. Crozier)—To be further considered in Committee.
- 5 RACING (FINANCIAL PROVISIONS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. I. B. Trayling).
- 6 URBAN LAND AUTHORITY BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- 7 STAMPS (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).
- 8 MOTOR CAR (FEES) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Joan Cocksedge).
- 9 PUBLIC SERVICE (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 10 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- 11 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- †12 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †13 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †14 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ø15 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.

\* *Notifications to which an asterisk (\*) is prefixed appear for the first time.*

† *Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.*

ø *Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.*

- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate. (Hon. H. R. Ward).*
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. W. R. Baxter).*
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate. (Hon. D. E. Kent).*
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 62.

- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978–79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978–79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978–79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978–79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978–79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978–79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978–79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978–79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978–79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978–79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §36 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979–80—To be considered.
- 37 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 38 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978–79—To be considered.
- 39 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978–79—To be considered.
- 40 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 41 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978–79—To be considered.
- 42 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 43 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 44 COUNTRY ROADS BOARD REPORT, 1978–79—To be considered.
- 45 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 46 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978–79—To be considered.
- §47 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 48 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 49 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
- 50 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978–79—To be considered.

- 51 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 52 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 53 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 55 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 56 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 57 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 58 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 59 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 60 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 61 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 62 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 63 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 64 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 66 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 67 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 68 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 69 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 70 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 71 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 72 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 73 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 74 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
- 75 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 76 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
- 77 STATE ELECTRICITY COMMISSION REPORT, 1978-79—To be considered.
- 78 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978-79—To be considered.
- 79 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
- 80 INDUSTRIAL TRAINING COMMISSION REPORT, 1978-79—To be considered.
- 81 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 82 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- 83 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.



- 84 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 85 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 86 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 87 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- 88 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
- 89 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

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## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

## SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Cocksedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at Half past Ten o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 INDUSTRIAL RELATIONS BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*2 WHEAT MARKETING BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- \*3 GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- \*4 YOUNG FARMERS' FINANCE COUNCIL BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- \*5 TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- \*6 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*7 MOTOR ACCIDENTS (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*8 CANNED FRUITS MARKETING BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 9 MOTOR CAR (FEES) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- 10 PUBLIC SERVICE (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- \*11 TRANSPORT REGULATION (CAR POOLS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- \*12 RAILWAYS (BOARD) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- \*13 MINISTRY OF TRANSPORT (AMENDMENT) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. G. A. S. Butler).
- \*14 MARINE (AMENDMENT) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- \*15 HEALTH (PROPRIETARY MEDICINES) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- \*16 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- \*17 LIQUOR CONTROL (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- 18 RAILWAY CONSTRUCTION AND PROPERTY BOARD BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- 19 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- 20 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- †21 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †22 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- †23 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ø24 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 COMMISSION OF PUBLIC HEALTH REPORT, 1977-78—To be considered.
- 18 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 19 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 20 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 21 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 22 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 23 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 24 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 25 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 26 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 27 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 28 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 29 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 30 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- §31 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 32 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 33 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 34 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 35 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §36 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 37 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 38 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 39 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 40 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 62.

- 41 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 42 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 43 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 44 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 45 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 46 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §47 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 48 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 49 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 50 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 51 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 52 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 53 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 54 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 55 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 56 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 57 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 58 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 59 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 60 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 61 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 62 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 63 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 64 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 66 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 67 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 68 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.

- 69 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 70 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 71 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 72 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. G. A. Sgro)—Resumption of debate. (Hon. W. A. Landeryou).
- 73 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 74 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
- 75 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 76 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
- 77 STATE ELECTRICITY COMMISSION REPORT, 1978-79—To be considered.
- 78 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978-79—To be considered.
- 79 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
- 80 INDUSTRIAL TRAINING COMMISSION REPORT, 1978-79—To be considered.
- 81 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 82 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- 83 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 89 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 85 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 86 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 87 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- 88 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
- 89 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- \*90 OMBUDSMAN'S QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- \*91 VICTORIAN GRANTS COMMISSION REPORT, YEAR ENDED 31 AUGUST 1979—To be considered.

A. R. B. McDONNELL

Clerk of the Legislative Council

FRED S. GRIMWADE

President

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at Half past Ten o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 INDUSTRIAL RELATIONS BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- 2 WHEAT MARKETING BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- 3 GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- 4 TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- \*5 PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 6 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- 7 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- †8 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †9 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †10 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ø11 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.



- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 18 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 19 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 20 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 21 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 22 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 23 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 24 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 61

- 25 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. D. G. Crozier).
- 26 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 27 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 28 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 29 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 30 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 31 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 32 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 33 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 34 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J. Hunt).
- 35 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 36 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. K. I. Wright).
- 37 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 38 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 39 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 40 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 41 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (Hon. D. M. Evans)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(Hon. R. J. Long).
- 42 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 43 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 44 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 45 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §46 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 47 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(Hon. H. M. Hamilton)—*Resumption of debate.* (Hon. Haddon Storey).
- 48 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 49 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 50 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. Joan Coxsedge)—*Resumption of debate.* (Hon. H. R. Ward).
- 51 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.

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- 54 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 55 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 56 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 57 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 58 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 59 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 60 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 61 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 62 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 63 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 64 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 66 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
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- 71 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 72 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 73 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
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- 75 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
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- 78 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
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- 80 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 81 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- 82 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 83 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 84 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 85 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.

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- 86 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- 87 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
- 88 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 89 OMBUDSMAN'S QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 90 VICTORIAN GRANTS COMMISSION REPORT, YEAR ENDED 31 AUGUST 1979—To be considered.
- \*91 IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS—PAPER PRESENTED BY MINISTER OF EDUCATION TO VICTORIAN TEACHERS' UNION GENERAL COUNCIL, 7 DECEMBER 1979—To be considered.
- \*92 MINISTERIAL STATEMENT—AIMS AND OBJECTIVES OF EDUCATION—To be considered.

**A. R. B. McDONNELL**  
*Clerk of the Legislative Council*

**FRED S. GRIMWADE**  
*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at Two o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- \*2 SUPERANNUATION (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- 4 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- \*5 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- \*6 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- †7 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †8 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- †9 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ∅10 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

† Proposals in Bill referred to Statute Law Revision Committee 12 June 1979.

∅ Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

## Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 18 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 19 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 20 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 21 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 22 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 23 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 24 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 25 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 26 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 27 RAILWAYS BOARD REPORT, 1978-79—To be considered.

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 61

- 28 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &C, 1978-79—To be considered.
- 29 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 30 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 31 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 32 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 33 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 34 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 35 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 36 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 37 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
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- 50 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
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- 55 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 56 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.



- 57 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 58 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 59 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 60 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 61 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 62 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 63 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 64 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
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- 66 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 67 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 68 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 69 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
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- 73 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
- 74 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 75 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
- 76 STATE ELECTRICITY COMMISSION REPORT, 1978-79—To be considered.
- 77 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978-79—To be considered.
- 78 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
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- 86 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- 87 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
- 88 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 89 OMBUDSMAN'S QUARTERLY REPORT, SEPTEMBER 1979—To be considered.

Friday, 14 December 1979

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- 90 VICTORIAN GRANTS COMMISSION REPORT, YEAR ENDED 31 AUGUST 1979—To be considered.
- 91 IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS—PAPER PRESENTED BY MINISTER OF EDUCATION TO VICTORIAN TEACHERS' UNION GENERAL COUNCIL, 7 DECEMBER 1979—To be considered.
- 92 MINISTERIAL STATEMENT—AIMS AND OBJECTIVES OF EDUCATION—To be considered.
- \*93 CROWN LANDS AND SURVEY DEPARTMENT—REPORT, 1978-79—To be considered.
- \*94 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1977 AND 1978—To be considered.

A. R. B. McDONNELL

*Clerk of the Legislative Council*

FRED S. GRIMWADE

*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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# MINUTES OF THE PROCEEDINGS

## No. 41—Tuesday, 11 December 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honorable Haddon Storey presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
  - Transport Works and Services Act.*
  - Melbourne and Metropolitan Tramways (Borrowing Powers) Act.*
  - County Court (Jurisdiction) Act.*
  - State Forests Works and Services Act.*
  - Young Men's Christian Association of Ballarat (Guarantee) Act.*
  - Water Supply Works and Services Act.*
  - Trustee Companies (Trustees Executors) Act.*
  - Commercial Goods Vehicles (Aviation Fuel) Act.*
  - Victorian Development Corporation (Powers) Act.*
- 3 TRANSPORT REGULATION (CAR POOLS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Transport Regulation Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
 

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 RAILWAYS (BOARD) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Railways Act 1958' with respect to the Membership and Procedure of the Victorian Railways Board, and for other purposes*" and desiring the concurrence of the Council therein.
 

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 MINISTRY OF TRANSPORT (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Ministry of Transport Act 1958' to create the Position of Deputy Director of Transport and for other purposes*" and desiring the concurrence of the Council therein.
 

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 MARINE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Marine Act 1958' and the 'Marine (Amendment) Act 1976'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 HEALTH (PROPRIETARY MEDICINES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend Part XIV. of the ‘Health Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable W. A. Landeryou moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to suspend the Co-ordinator of Land Development, Mr A. Ashman”; and six other Honorable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 12

The Hon. G. A. S. Butler .  
Joan Coxsedg (*Teller*)  
R. J. Eddy  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
H. A. Thomas (*Teller*)  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

NOES, 27

The Hon. W. R. Baxter  
H. G. Baylor  
C. Bubb (*Teller*)  
B. A. Chamberlain  
(*Teller*)  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr R. W. Howard  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
J. A. Taylor  
H. R. Ward  
K. I. Wright

And so it passed in the negative.

- 9 SHIRE OF OMEO (TOURIST GOLD MINE) BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to authorize the Granting to the Corporation of the Shire of Omeo of an Exploration Licence and a Gold Mining Lease under the *Mines Act 1958* in

respect of certain Crown Lands reserved for Public Purposes, to authorize the said Corporation to enter into Agreements in respect of any such Licence or Lease and for other purposes.

The President ruled the Bill to be a Private Bill.

The Honorable D. G. Crozier moved, That this Bill be dealt with as a Public Bill.  
Question—put and resolved in the affirmative.

The Honorable D. G. Crozier moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 PAPERS—

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Ombudsman—Report for the quarter ended 30 September 1979.

Victoria Grants Commission—Report for the year ended 31 August 1979.

The Honorable E. H. Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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STATUTE LAW REVISION COMMITTEE—BILL OF RIGHTS—The Honorable N. B. Reid presented a Progress Report from the Statute Law Revision Committee upon the *Constitution Act 1975*—A Bill of Rights, together with Extracts from the Proceedings of the Committee and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Extracts from the Proceedings of the Committee to be printed.

11 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

12 TRANSPORT REGULATION (CAR POOLS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

13 RAILWAYS (BOARD) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable E. H. Walker, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

14 MINISTRY OF TRANSPORT (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

15 MARINE (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 16 HEALTH (PROPRIETARY MEDICINES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable W. A. Landeryou, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 17 LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 18 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 19 RACING (FINANCIAL PROVISIONS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 SHIRE OF OMEO (TOURIST GOLD MINE) BILL.—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 21 VICTORIAN GOVERNMENT TRAVEL AUTHORITY (RECONSTITUTION) BILL.—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.

- 22 RAILWAY CONSTRUCTION AND PROPERTY BOARD BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 23 PUBLIC WORKS AND SERVICES BILL.—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 24 EGG INDUSTRY STABILIZATION (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Egg Industry Stabilization Act 1973'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 25 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to reconstitute the membership of the Victorian Abattoir and Meat Inspection Authority, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 26 CANNED FRUITS MARKETING BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the Marketing of certain Canned Fruits, and for related purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 27 WHEAT MARKETING BILL.—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the Marketing of Wheat, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.



- 28 **GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish certain Authorities to undertake the Development and Construction of various Improvements in relation to the Transport and Storage of Grain in Victoria and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 29 **EGG INDUSTRY STABILIZATION (AMENDMENT) BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey, for the Honorable W. V. Houghton, moved, That this Bill be now read a second time.

Debate ensued.

And the Council having continued to sit until after Twelve midnight—

### WEDNESDAY, 12 DECEMBER

Debate continued.

Question—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 30 **CANNED FRUITS MARKETING BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey, for the Honorable W. V. Houghton, moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 31 **ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey, for the Honorable W. V. Houghton, moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 32 **YOUNG FARMERS' FINANCE COUNCIL BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a Young Farmers' Finance Council and to amend the 'Rural Finance Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 33 URBAN LAND AUTHORITY BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 34 STAMPS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 35 TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Town and Country Planning Act 1961', the 'State Co-ordination Council Act 1975' and the 'Geelong Regional Commission Act 1977' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 36 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a voluntary scheme for long service leave for certain persons in the building industry, to amend the 'Building Industry Long Service Leave Act 1975' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 37 LIQUOR CONTROL (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize the Sale and Disposal of liquor at the Melbourne Food and Wine Festival, to amend the 'Liquor Control Act 1968' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 38 MOTOR ACCIDENTS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the Motor Accidents Act 1973 with respect to Compensation for Deprivation or*

*Impairment of Earning Capacity, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 39 LIQUOR CONTROL (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable E. H. Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 40 ADJOURNMENT—The Honorable Haddon Storey moved, That the Council, at its rising, adjourn until this day at a quarter past Ten o'clock.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at nine minutes past Two o'clock in the morning, adjourned until this day at a quarter past Ten o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 42—Wednesday, 12 December 1979

- 1 The President took the Chair and read the Prayer.
- 2 PROBATE DUTY BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for *“An Act to amend the ‘Probate Duty Act 1962’, and for other purposes”* and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 PAPERS—  
SCHOOL ENROLMENTS—The Honorable A. J. Hunt moved, by leave, That there be laid before this House a copy of the Paper entitled *“The Implications of Changing School Enrolments”* presented by the Honorable the Minister of Education to the Victorian Teachers’ Union General Council on 7 December 1979.

Question—put and resolved in the affirmative.

The said Paper was thereupon presented by the Honorable A. J. Hunt and ordered to lie on the Table.

The Honorable W. A. Landeryou moved, That the Report be printed and taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

\* \* \*

The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 69, Part 2, with map (two papers); and No. 111, Part 1, with maps (seventeen papers).

- 4 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, Government Business, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 16, inclusive, be postponed until later this day.
- 5 COMMISSION OF PUBLIC HEALTH REPORT, 1977–78—The Honorable E. H. Walker moved, That the Council take note of the Report of the Commission of Public Health for 1977–78.
- Debate ensued.
- Question—put and resolved in the affirmative.
- 6 INDUSTRIAL RELATIONS BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt, for the Honorable Haddon Storey, moved, That this Bill be now read a second time.
- The Honorable W. A. Landeryou, for the Honorable Joan Coxsedg, moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 7 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt, for the Honorable Haddon Storey, moved, That this Bill be now read a second time.
- The Honorable G. A. S. Butler moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 8 PROBATE DUTY BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.
- The Honorable W. A. Landeryou, for the Honorable E. H. Walker, moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 9 MOTOR ACCIDENTS (AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole. House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 10 YOUNG FARMERS' FINANCE COUNCIL BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole. House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 11 PROBATE DUTY BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 CANNED FRUITS MARKETING BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 MINISTERIAL STATEMENT—AIMS AND OBJECTIVES OF EDUCATION—The Honorable A. J. Hunt made a Ministerial Statement on aims and objectives of Education. The Honorable W. A. Landeryou moved, That the Ministerial Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 14 GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter, for the Honorable W. V. Houghton, moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie, for the Honorable D. E. Kent, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 15 MARINE (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 TRANSPORT REGULATION (CAR POOLS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 RAILWAYS (BOARD) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 MINISTRY OF TRANSPORT (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier, for the Honorable A. J. Hunt, moved, That this Bill be now read a second time.

The Honorable E. H. Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 20 LIQUOR CONTROL (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 21 HEALTH (PROPRIETARY MEDICINES) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 22 MOTOR CAR (FEES) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—  
Debate resumed.

The Honorable R. J. Eddy moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for a further reduction by forty per centum of all the fees provided for in this Bill except those relating to hire cars and taxis, motor cars having a carrying capacity in excess of 4100 kilograms and motor cars owned and used solely for the purposes of primary production”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.  
The Council divided.

AYES, 25

The Hon. W. R. Baxter  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton (*Teller*)  
V. T. Hauser  
D. K. Hayward (*Teller*)  
W. V. Houghton  
Dr R. W. Howard  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey  
J. A. Taylor  
H. R. Ward  
K. I. Wright

NOES, 12

The Hon. G. A. S. Butler (*Teller*)  
Joan Coxsedg (*Teller*)  
R. J. Eddy  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.  
House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 23 ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 24 MESSAGES FROM THE LEGISLATIVE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and notifying agreement to the same without amendment:

Shire of Omeo (Tourist Gold Mine) Bill.  
Presbyterian Trusts Bill.

- 25 LOCAL GOVERNMENT (LAND LIABLE TO FLOODING) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be now taken into consideration.

And the said amendment was read and is as follows:

Clause 5, page 3, line 39, after “marsh.” insert—

‘(1A) In this section “river” and “water course” shall have the same meanings as are contained in Part III. of the *Drainage of Land Act 1975*.’

On the motion of the Honorable D. G. Crozier, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 26 RAILWAY CONSTRUCTION AND PROPERTY BOARD BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 27 WHEAT MARKETING BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable D. E. Kent moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 28 BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.



- 29 PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make Provision with respect to the establishment of a Joint Select Committee of the Legislative Council and the Legislative Assembly to review the Public Accounts and Public Expenditure of Victoria and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 30 PUBLIC SERVICE (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

- 31 PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 32 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter past Ten o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty minutes past Ten o'clock, adjourned until tomorrow at a quarter past Ten o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 43—Thursday, 13 December 1979

- 1 The President took the Chair and read the Prayer.

- 2 SUPERANNUATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Pensions Supplementation Act 1966’, the ‘Superannuation Act 1958’, the ‘Superannuation Act 1975’, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 MASTER BUILDERS' ASSOCIATION OF VICTORIA (GUARANTEE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize the Treasurer of Victoria to Guarantee certain Moneys proposed to be borrowed by the Master Builders' Association of Victoria and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 MOTOR CAR (INSURANCE BY PENSIONERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend Section 71 of the 'Motor Car Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 TOWN AND COUNTRY PLANNING (AMENDMENT OF SCHEMES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Town and Country Planning Act 1961' to make provision with respect to the Amendment of Planning Schemes by the Governor in Council and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 EDUCATIONAL GRANTS (CONTINUATION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Educational Grants Act 1973'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 EDUCATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Education Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 VICTORIAN ARTS CENTRE BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to constitute the Victorian Arts Centre Trust, to make provision with respect to the Management and Operation of the Victorian Arts Centre and for the Use and Promotion of the Theatre Complex in the Centre and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 LABOUR AND INDUSTRY (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Labour and Industry Act 1958’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 INSTRUMENTS (POWERS OF ATTORNEY) BILL—On the motion (by leave without notice) of the Honorable A. J. Hunt, for the Honorable Haddon Storey, leave was given to bring in a Bill to amend the law with respect to Powers of Attorney, to re-enact Part XI. of the *Instruments Act 1958*, to amend the *Public Trustee Act 1958*, the *Transfer of Land Act 1958* and the *Trustee Companies Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

11 PAPERS—

LIBRARY COMMITTEE—The Honorable D. M. Evans presented a Report from the Library Committee, together with Appendices.

Ordered to lie on the Table.

\* \* \*

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Lands—Report of the Department of Crown Lands and Survey for the year 1978–79.

Trade Unions—Reports of the Government Statist for the years 1977 and 1978.

The Honorable E. H. Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 12 MOTOR CAR (INSURANCE BY PENSIONERS) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 TOWN AND COUNTRY PLANNING (AMENDMENT OF SCHEMES) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 14 EDUCATIONAL GRANTS (CONTINUATION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou, for the Honorable D. R. White, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 15 EDUCATION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable H. A. Thomas moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 16 VICTORIAN ARTS CENTRE BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 17 MASTER BUILDERS' ASSOCIATION OF VICTORIA (GUARANTEE) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 18 LABOUR AND INDUSTRY (AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 INDUSTRIAL RELATIONS BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 MASTER BUILDERS' ASSOCIATION OF VICTORIA (GUARANTEE) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 21 INSTRUMENTS (POWERS OF ATTORNEY) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 22 WHEAT MARKETING BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 23 GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and had agreed to the following resolution:—

That it be a suggestion to the Assembly that they make the following amendments in the Bill, viz.:

Clause 8, lines 18 and 19, omit “make all payments of the premiums on” and insert “take out”.

#### NEW CLAUSE

Insert the following new clause to follow clause 8:

“AA The premium on any policy of accidental insurance effected pursuant to section 8 and any remuneration and travelling expenses payable to the members of an Authority shall be paid by the Grain Elevators Board out of the funds of the Board.”

and asked leave to sit again.

On the motion of the Honorable W. V. Houghton, the Council adopted the resolution reported from the Committee of the whole.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 24 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—By leave, on the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to amend the *Local Government Act 1958*, to amend the

*Melbourne (Widening of Streets) Act 1940* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 25 SUPERANNUATION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 26 EDUCATION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 27 TOWN AND COUNTRY PLANNING (GENERAL AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.

The Honorable A. J. Hunt moved, That the Bill be now read a third time.

Debate ensued.

Question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest

NOES, 11

The Hon. G. A. S. Butler  
Joan Coxsedg  
R. J. Eddy (*Teller*)  
C. J. Kennedy (*Teller*)  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
H. A. Thomas  
E. H. Walker  
J. M. Walton  
D. R. White

H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson (*Teller*)  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

28 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly:

Returning the Public Service (Amendment) Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.

Returning the following Bills and acquainting the Council that they have agreed to the same without amendment:

Transfer of Land (Amendment) Bill.  
 Crimes (Amendment) Bill.  
 Second-hand Dealers (Closing Hours) Bill.  
 Magistrates' Courts (Civil Jurisdiction) Bill.  
 Trustee Companies (Amendment) Bill.  
 Fisheries (Amendment) Bill.

29 EDUCATIONAL GRANTS (CONTINUATION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable D. R. White moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for the establishment of a Needs Commission to examine and determine the needs of schools and students in Government and non-Government education and to recommend to the Government of Victoria on a continuous public basis the level of expenditure necessary to meet the requirements of Victoria's school children on the basis of needs and priorities, educational experimentation and regionalization".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 23

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell

NOES, 10

The Hon. Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent (*Teller*)  
 W. A. Landeryou

D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley (*Teller*)  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 R. I. Knowles  
 R. Lawson  
 R. J. Long (*Teller*)  
 N. B. Reid  
 Haddon Storey  
 H. R. Ward  
 K. I. Wright

R. A. Mackenzie  
 (*Teller*)  
 H. A. Thomas  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 30 GRAIN HANDLING IMPROVEMENT AUTHORITIES BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make amendments in such Bill, have made the suggested amendments and desire the concurrence of the Council therein.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill, including the amendments made by the Assembly which were suggested by the Council, without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill, including the amendments made by the Assembly which were suggested by the Council, without further amendment.

- 31 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.



And then the Council, at forty-nine minutes past Nine o'clock, adjourned until tomorrow at a quarter to Two o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 44—Friday, 14 December 1979

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment:
  - Vermin and Noxious Weeds (Amendment) Bill.
  - Latrobe Valley (Amendment) Bill.
  - Local Authorities Superannuation Bill.
  - Melbourne College of Divinity Bill.

- 3 VICTORIAN FISHING INDUSTRY COUNCIL BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment and desiring the concurrence of the Council therein.

Ordered—That the amendment be taken into consideration later this day.

- 4 WRONGS (ASSESSMENT OF DAMAGES) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.

Ordered—That the amendments be taken into consideration later this day.

- 5 STATE EMPLOYEES RETIREMENT BENEFITS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to constitute a State Employees Retirement Benefits Board, to make Provision for the Administration by the Board of a State Employees Retirement Benefits Fund and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make Provision with respect to the Establishment and Functions of a Joint Standing Committee of the Legislative Council and Legislative Assembly with respect to the review of Public Bodies, to amend the 'Parliamentary Committees Act 1968' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 PAPERS—

STATUTE LAW REVISION COMMITTEE—IMPERIAL ACTS APPLICATION BILL, IMPERIAL LAW RE-ENACTMENT BILL AND THE CONSTITUTIONAL POWERS (REQUEST) BILL—The Honorable Joan Coxsedg presented a Report from the Statute Law

Revision Committee upon the Imperial Acts Application Bill, Imperial Law Re-enactment Bill and Constitutional Powers (Request) Bill, together with Minutes of Evidence.

Ordered to lie on the Table, and the Report to be printed.

\* \* \* \*

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Forests Commission—Report for the year 1978–79.

Housing Commission—Report for the year 1978–79.

National Parks—Report of the Director for the year 1978–79.

Poisons Act 1962—Proclamation of 27 November 1979 amending Schedules to the Act.

Water Supply—Report of the State Rivers and Water Supply Commission for the year 1978–79 (two volumes).

The Honorable E. H. Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 8 STATE EMPLOYEES RETIREMENT BENEFITS BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time, after debate, and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 9 WRONGS (ASSESSMENT OF DAMAGES) BILL—The Order of the Day having been read for the consideration of the amendments made by the Assembly in this Bill, the said amendments were read and are as follows:

1 Clause 3, omit this clause.

2 Insert the following new clause to follow clause 2:

“AA. Section 28A of the *Wrongs Act* 1958 shall apply to and in relation to all claims for damages for deprivation or impairment of earning capacity or for other personal injury, including claims made before the commencement of this Act, unless at the commencement of this Act—

(a) the person making the claim and the person against whom it is made have agreed on the amount to be paid in respect of the claim or in respect of the claim and another claim or claims; or

(b) a court has fixed the amount to be paid in respect of the claim or in respect of the claim and another claim or claims, whether or not the amount fixed is subject to appeal.”

On the motion of the Honorable Haddon Storey, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 10 PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 12 SUPERANNUATION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 VICTORIAN FISHING INDUSTRY COUNCIL BILL—The Order of the Day having been read for the consideration of the amendment made by the Assembly in this Bill, the said amendment was read and is as follows:

Clause 15, lines 30–31, omit “in the Treasury in the Public Account as part of the Trust Fund a trust account” and insert “a fund”.

On the motion of the Honorable W. V. Houghton, and after debate, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 14 PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable W. A. Landeryou moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to—(a) provide for the Expenditure Review Committee to be established whilst retaining the Public Accounts Committee in its present form; and (b) specifically provide for the appointment of sufficient specialist and other staff to service the Expenditure Review Committee”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 26

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block (*Teller*)  
 C. Bubb  
 W. M. Campbell  
 B. P. Dunn  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt

NOES, 11

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 H. A. Thomas (*Teller*)  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White

Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward (*Teller*)  
 K. I. Wright

And so it was resolved in the affirmative.—Amendment negated.

Question—That this Bill be now read a second time—put and resolved in the affirmative.—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 15 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honorable Member by telegram or letter.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-five minutes past Five o'clock, adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honorable Member by telegram or letter.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

The first part of the document discusses the importance of maintaining accurate records. It is essential for all departments to ensure that data is entered correctly and updated regularly. This will help in identifying trends and making informed decisions.

In the second section, we explore the various methods used for data collection. These include surveys, interviews, and focus groups. Each method has its own strengths and weaknesses, and it is important to choose the most appropriate one for the specific research objectives.

The third section focuses on the analysis of the collected data. This involves using statistical tools to identify patterns and correlations. It is crucial to interpret the results carefully and avoid drawing conclusions based on incomplete information.

Finally, the document concludes with a summary of the findings and recommendations for future research. It emphasizes the need for continuous monitoring and evaluation to ensure that the data remains relevant and useful over time.

*Mr. President takes the Chair at Quarter to Five o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. R. White).
- 2 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- 3 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- 4 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 5 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 6 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- 7 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- 8 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- ø9 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Haddon Storey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

## Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 18 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 19 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 20 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 21 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 22 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 23 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 24 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 25 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 26 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 27 RAILWAYS BOARD REPORT, 1978-79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 61

- 28 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 29 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 30 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 31 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 32 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 33 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 34 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 35 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 36 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 37 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 38 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 39 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 40 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 41 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 42 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 43 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 44 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 45 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §46 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 47 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 48 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 49 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 50 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 51 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 52 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 53 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 54 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 55 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 56 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.



- 57 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 58 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 59 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 60 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 61 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 62 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 63 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 64 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 66 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 67 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 68 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 69 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 70 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 71 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 72 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 73 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
- 74 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 75 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
- 76 STATE ELECTRICITY COMMISSION REPORT, 1978-79—To be considered.
- 77 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978-79—To be considered.
- 78 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
- 79 INDUSTRIAL TRAINING COMMISSION REPORT, 1978-79—To be considered.
- 80 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 81 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- 82 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 83 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 84 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 85 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 86 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- 87 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
- 88 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 89 OMBUDSMAN'S QUARTERLY REPORT, SEPTEMBER 1979—To be considered.

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- 90 VICTORIA GRANTS COMMISSION REPORT, YEAR ENDED 31 AUGUST 1979—To be considered.
  - 91 IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS—PAPER PRESENTED BY MINISTER OF EDUCATION TO VICTORIAN TEACHERS' UNION GENERAL COUNCIL, 7 DECEMBER 1979—To be considered.
  - 92 MINISTERIAL STATEMENT—AIMS AND OBJECTIVES OF EDUCATION—To be considered.
  - 93 CROWN LANDS AND SURVEY DEPARTMENT—REPORT, 1978-79—To be considered.
  - 94 TRADE UNIONS—GOVERNMENT STATIST'S REPORTS, 1977 AND 1978—To be considered.
  - \*95 FORESTS COMMISSION REPORT, 1978-79—To be considered.
  - \*96 HOUSING COMMISSION REPORT, 1978-79—To be considered.
  - \*97 NATIONAL PARKS—DIRECTOR'S REPORT, 1978-79—To be considered.
  - \*98 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.

A. R. B. McDONNELL

*Clerk of the Legislative Council*

FRED S. GRIMWADE

*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Cocksedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr. President takes the Chair at Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*4 The Hon. K. I. WRIGHT—To move, That this House is of opinion that the present method of funding road works undertaken by municipalities and the increasing taxation burden on the State's motorists are unsatisfactory, and urges that the level of financial investment in Victoria's road system be increased substantially by the Government.
- \*5 The Hon. K. I. WRIGHT—To move, That this House urges the Minister for Police and Emergency Services to devise a scheme as a matter of extreme urgency to alter the method of funding fire services so that the cost is shared more equitably throughout the community.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
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- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.

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- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
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- 20 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 21 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
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- 36 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 37 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 61

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- 50 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 51 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
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- 56 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 57 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 58 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 59 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 60 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 61 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 62 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 63 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 64 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- 65 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 66 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 67 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 68 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 69 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 70 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 71 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE —(Hon. G. A. Sgro)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 72 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 73 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
- 74 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 75 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
- 76 STATE ELECTRICITY COMMISSION REPORT, 1978-79—To be considered.
- 77 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978-79—To be considered.
- 78 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
- 79 INDUSTRIAL TRAINING COMMISSION REPORT, 1978-79—To be considered.
- 80 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979 —To be considered.
- 81 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- 82 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 83 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 84 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 85 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 86 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- 87 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
- 88 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 89 OMBUDSMAN'S QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 90 VICTORIA GRANTS COMMISSION REPORT, YEAR ENDED 31 AUGUST 1979—To be considered.
- 91 IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS—PAPER PRESENTED BY MINISTER OF EDUCATION TO VICTORIAN TEACHERS' UNION GENERAL COUNCIL, 7 DECEMBER 1979—To be considered.
- 92 MINISTERIAL STATEMENT—AIMS AND OBJECTIVES OF EDUCATION—To be considered.
- 93 CROWN LANDS AND SURVEY DEPARTMENT—REPORT, 1978-79—To be considered.
- 94 TRADE UNIONS—GOVERNMENT STATIST'S REPORTS, 1977 AND 1978—To be considered.
- 95 FORESTS COMMISSION REPORT, 1978-79—To be considered.
- 96 HOUSING COMMISSION REPORT, 1978-79—To be considered.
- 97 NATIONAL PARKS—DIRECTOR'S REPORT, 1978-79—To be considered.
- 98 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
- \*99 ADULT PAROLE BOARD REPORT, 1976-77—To be considered.

- \*100 DECENTRALIZED INDUSTRY HOUSING AUTHORITY REPORT, 1978-79—To be considered.
- \*101 COUNCIL OF PUBLIC EDUCATION REPORT, 1978-79—To be considered.
- \*102 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1978-79  
To be considered.
- \*103 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1978—To be considered.
- \*104 GEELONG WATERWORKS AND SEWERAGE TRUST ACCOUNTS, 1978-79—To be considered.
- \*105 MELBOURNE AND METROPOLITAN BOARD OF WORKS ACCOUNTS, 1978-79—To be considered.
- \*106 RIVER IMPROVEMENT ACT 1958—NOTICE OF INTENTION TO CONVERT HEDLEY DRAINAGE AREA INTO A RIVER IMPROVEMENT DISTRICT—To be considered.
- \*107 FIREARMS (RAAF MUSEUM POINT COOK EXEMPTION) REGULATIONS 1980—To be considered.
- \*108 LOTTERIES GAMING AND BETTING (RAFFLES AND BINGO PERMITS) (AMENDMENT) REGULATIONS 1980—To be considered.
- \*109 NURSING COUNCIL (EXAMINERS' FEES) REGULATIONS 1979—To be considered.
- \*110 PHARMACISTS (FEES) REGULATIONS 1979—To be considered.
- \*111 POLICE (CONSTITUTION STRENGTH ORGANIZATION AND SENIORITY) (AMENDMENT No. 4) REGULATIONS 1979—To be considered.
- \*112 POLICE (CONSTITUTION STRENGTH ORGANIZATION AND SENIORITY) (AMENDMENT No. 1) REGULATIONS 1980—To be considered.
- \*113 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- \*114 PARK (AMENDMENT) REGULATIONS 1979—To be considered.
- \*115 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- \*116 RACING (LICENSING OF GREYHOUND RACING GROUNDS AMENDMENT) REGULATIONS 1979—To be considered.
- \*117 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—  
To be considered.
- \*118 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME AMENDMENT No. 4  
—To be considered.
- \*119 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENTS No. 60, PART 1; No. 87, PART 3; No. 90, PART 1c; No. 90, PART 2a; No. 90, PART 5; No. 110, PARTS 1a AND 3; No. 116, PART 1; No. 134; No. 136—To be considered.
- \*120 TAMBO—SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.

## GOVERNMENT BUSINESS

### Notice of Motion

- \*1 The Hon. F. J. GRANTER—To move, That he have leave to bring in a Bill to amend the *Forests Act* 1958.

### Orders of the Day

- 1 PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. D. R. White).
- 2 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).



- 3 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- 4 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 5 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 6 IMPERIAL ACTS APPLICATION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- 7 IMPERIAL LAW RE-ENACTMENT BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- 8 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ø9 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

R. K. EVANS

*Acting Clerk of the Legislative Council*

FRED S. GRIMWADE

*President*

# MINUTES OF THE PROCEEDINGS

## No. 45—Tuesday, 11 March 1980

- 1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at half-past Four o'clock as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 ABSENCE OF THE CLERK—The absence of the Clerk owing to illness having been announced to the House—  
The Honorable A. J. Hunt moved, That the Clerk-Assistant perform the duties of the Clerk of the Council during his absence, and take the Chair at the Table.  
Question—put and resolved in the affirmative.
- 4 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:

On 18 December 1979:

*Town and Country Planning (Planning Schemes) Act.*  
*Victorian Government Travel Authority (Reconstitution) Act.*  
*Stamps (Amendment) Act.*  
*Motor Car (Fees) Act.*  
*Racing (Financial Provisions) Act.*  
*Urban Land Authority Act.*  
*Public Works and Services Act.*  
*Second-hand Dealers (Closing Hours) Act.*  
*Crimes (Amendment) Act.*  
*Transfer of Land (Amendment) Act.*  
*Melbourne College of Divinity Act.*  
*Transport Regulation (Car Pools) Act.*  
*Fisheries (Amendment) Act.*  
*Egg Industry Stabilization (Amendment) Act.*  
*Local Authorities Superannuation Act.*  
*Latrobe Valley (Amendment) Act.*  
*Liquor Control (Amendment) Act.*  
*Motor Accidents (Amendment) Act.*  
*Young Farmers' Finance Council Act.*  
*Probate Duty Act.*  
*Railways (Board) Act.*  
*Ministry of Transport (Amendment) Act.*  
*Abattoir and Meat Inspection (Amendment) Act.*  
*Public Service (Amendment) Act.*  
*Trustee Companies (Amendment) Act.*  
*Vermin and Noxious Weeds (Amendment) Act.*

On 20 December 1979:

*Canned Fruits Marketing Act.*  
*Marine (Amendment) Act.*  
*Shire of Omeo (Tourist Gold Mine) Act.*

*Presbyterian Trusts Act.*  
*Railway Construction and Property Board Act.*  
*Motor Car (Insurance by Pensioners) Act.*  
*Town and Country Planning (Amendment of Schemes) Act.*  
*Labour and Industry (Amendment) Act.*  
*Magistrates' Courts (Civil Jurisdiction) Act.*  
*Master Builders' Association of Victoria (Guarantee) Act.*  
*Education (Amendment) Act.*  
*Educational Grants (Continuation) Act.*  
*Wrongs (Assessment of Damages) Act.*  
*Victorian Arts Centre Act.*  
*Building Industry Long Service Leave (Amendment) Act.*  
*Local Government (Land Liable to Flooding) Act.*  
*Parliamentary Committees (Public Accounts and Expenditure Review Committee) Act.*  
*Superannuation (Amendment) Act.*  
*Health (Proprietary Medicines) Act.*  
*Victorian Fishing Industry Council Act.*  
*Grain Handling Improvement Authorities Act.*  
*Wheat Marketing Act.*  
*State Employees Retirement Benefits Act.*  
*Town and Country Planning (General Amendment) Act.*  
*Industrial Relations Act.*

- 5 VACANCY IN THE SENATE—The Honorable A. J. Hunt presented a Message from His Excellency the Governor transmitting a copy of the following despatch:

Parliament House  
 Canberra  
 28 January 1980

Your Excellency,

Pursuant to the provisions of section 21 of the Commonwealth of Australia Constitution, I have to notify Your Excellency that a vacancy has happened in the representation of the State of Victoria in the Senate, through the resignation of Senator the Honorable James Joseph Webster, which occurred on 28 January 1980.

Yours faithfully,

CONDOR L. LAUCKE  
 President of the Senate

His Excellency the Governor of  
 the State of Victoria,  
 Government House,  
 Melbourne, Vic., 3004

- 6 JOINT SITTING—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to meet the Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honorable James Joseph Webster, and proposing that the place and time of such meeting be the Legislative Assembly Chamber this day at a quarter past Six o'clock.

The Honorable A. J. Hunt moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the

Honorable James Joseph Webster and, as proposed by the Legislative Assembly, the place and time of such meeting be the Legislative Assembly Chamber this day at a quarter past Six o'clock.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 7 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable W. A. Landeryou moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The failure of the Government to take adequate steps to prevent the current confrontation arising from public disquiet with workers compensation entitlements”; and six other Honorable Members having risen in their places and required the motion to be proposed—

Debate ensued.

*Interruption—*

- 8 JOINT SITTING—The President announced that the time had arrived for this House to meet the Assembly in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honorable James Joseph Webster.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that this House met the Legislative Assembly this day in the Assembly Chamber for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honorable James Joseph Webster, and that Laurence William Neal had been chosen to hold the vacant place in the Senate.

- 9 ADJOURNMENT—Motion under Standing Order No. 53—Debate resumed on the Question, That the Council do now adjourn.

Question—put.

The Council divided.

AYES, 13

The Hon. G. A. S. Butler (*Teller*)  
 Joan Coxsedge (*Teller*)  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

NOES, 28

The Hon. W. R. Baxter  
 H. G. Baylor (*Teller*)  
 P. D. Block (*Teller*)  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

And so it passed in the negative.

- 10 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting-Clerk:
- Adult Parole Board—Report for the year 1976–77.
  - Building Industry Long Service Leave Board—Report for the year 1978–79.
  - Deakin University—Report and accounts of the Council, together with Statutes approved by the Governor in Council, for the year 1978 (fourteen papers).
  - Decentralized Industry Housing Authority—Report for the year 1978–79.
  - Education—Report of the Council of Public Education for the year 1978–79.
  - Education Act 1958—Resumption of land at Noble Park—Certificates of the Minister of Education (two papers).
  - Explosives—Report of the Chief Inspector for the year 1978.
  - Geelong Waterworks and Sewerage Trust—Accounts and statements for the year 1978–79.
  - Greyhound Racing Control Board—Report and accounts for the year ended 31 July 1979.
  - Hospitals Superannuation Act 1965—Report on First Actuarial Investigation of Pensions Funds.
  - Inflammable Liquids—Report of the Chief Inspector for the year 1978.
  - Library Council, National Museum and Science Museum of Victoria—Report of the Building Trustees, together with statements of receipts and expenditure, for the year 1977–78.
  - Melbourne and Metropolitan Board of Works—Statement of accounts, together with particulars of rates made, for the year 1978–79.
  - Melbourne Wholesale Fruit and Vegetable Market Trust—Report and accounts for the year 1978–79.
  - Melbourne University—Report of the Council, together with Statutes and Regulations allowed by His Excellency the Governor, for the year 1978 (eleven papers).
  - Monash University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1978 (two papers).
  - National Museum—Report of the Council for the year 1978–79.
  - Police Service Board—Determinations Nos. 310 and 311.
  - River Improvement Act 1958—Notice of intention to convert Hedley Drainage Area into a River Improvement District.
  - State College of Victoria—
    - Report of the Senate, together with statements of accounts, for the year 1978.
    - Statements of accounts of constituent colleges for the year 1978 (two papers).
  - Statutory Rule under the Prerogative Powers of the Crown—Commissions and Boards of Inquiry—No. 437/1979.
  - Statutory Rules under the following Acts of Parliament:
    - Abattoir and Meat Inspection Act 1973—No. 3/1980.
    - Broiler Chicken Industry Act 1978—No. 444/1979.
    - Commercial Goods Vehicles Act 1958—No. 467/1979.
    - Country Fire Authority Act 1958—No. 457/1979; Nos. 4, 5, 22, 30 and 31/1980.
    - Dandenong Valley Authority Act 1963—Nos. 2 and 20/1980.
    - Environment Protection Act 1970—No. 464/1979.
    - Fertilizers Act 1974—No. 23/1980.
    - Films Act 1971—No. 456/1979.
    - Firearms Act 1958—No. 35/1980.
    - Fisheries Act 1968—Nos. 33 and 34/1980.
    - Forests Act 1958—No. 455/1979.
    - Health Act 1958—No. 439/1979; No. 15/1980.
    - Industrial Training Act 1975—Nos. 431, 432, 442, 443 and 454/1979.

Labour and Industry Act 1958—No. 37/1980.  
 Legal Profession Practice Act 1958—No. 29/1980.  
 Liquefied Gases Act 1968—No. 8/1980.  
 Liquefied Petroleum Gas Act 1958—No. 7/1980.  
 Liquor Control Act 1968—No. 446/1979; Nos. 6 and 11/1980.  
 Local Government Act 1958—No. 429/1979.  
 Lotteries Gaming and Betting Act 1966—No. 13/1980.  
 Magistrates (Summary Proceedings) Act 1975—Nos. 450 and 462/1979.  
 Marine Act 1958—No. 445/1979; No. 1/1980.  
 Milk and Dairy Supervision Act 1958—No. 14/1980.  
 Mines Act 1958—No. 441/1979.  
 Motor Boating Act 1961—No. 433/1979; No. 19/1980.  
 Motor Car Act 1958—No. 468/1979; No. 18/1980.  
 National Parks Act 1975—Nos. 436 and 438/1979.  
 Nurses Act 1958—No. 461/1979.  
 Pay-roll Tax Act 1971—No. 466/1980.  
 Pharmacists Act 1974—No. 440/1979.  
 Police Regulation Act 1958—No. 419/1979; No. 24/1980.  
 Portland Harbor Trust Act 1958—Nos. 430 and 469/1979.  
 Port of Melbourne Authority Act 1958—No. 32/1980.  
 Post-Secondary Education Act 1978—No. 27/1980.  
 Public Records Act 1973—No. 449/1979.  
 Public Service Act 1974—Nos. 458 to 460/1979; No. 28/1980; PSD Nos. 87, 89 to 92, 94 to 110 and 112 to 116/1979; PSD Nos. 1 to 16/1980.  
 Racing Act 1958—No. 463/1979; No. 36/1980.  
 Road Traffic Act 1958—No. 453/1979.  
 Second-hand Dealers Act 1958—No. 448/1979; Nos. 9, 12 and 26/1980.  
 Stamps Act 1958—No. 465/1979.  
 State Electricity Commission Act 1958—No. 447/1979; No. 16/1980.  
 Supreme Court Act 1958—Legal Profession Practice Act 1958—No. 451/1979.  
 Victorian Brown Coal Council Act 1978—No. 10/1980.  
 Water Act 1958—No. 21/1980.  
 Wine Grape Processing Industry Act 1978—No. 25/1980.  
 Workers Compensation Act 1958—No. 435/1979.

Teacher Housing Authority—Report for the year 1978–79.

Teachers Tribunal—Report for the year 1977–78.

Teaching Service Act 1958:

Teaching Service (Classification, Salaries and Allowances) Regulations—  
 Amendments Nos. 500, 503 to 506, and 508.  
 Teaching Service (Teachers Tribunal) Regulations—Amendments Nos.  
 497 to 499, 501, 502 and 507.

Town and Country Planning Act 1961:

Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment  
 No. 15.  
 Benalla—Shire of Benalla Planning Scheme—Amendment No. 9, with  
 maps (five papers); No. 10.  
 Bulla—Shire of Bulla Planning Scheme 1959—Amendments Nos. 72 to  
 75, 1978.  
 Cranbourne Planning Scheme—Amendment No. 31.  
 Croydon—City of Croydon Planning Scheme 1961—Amendments Nos.  
 80 to 82, and 85.  
 Echuca—City of Echuca Planning Scheme—Amendments No. 31, 1977;  
 No. 44, 1979.

- Flinders—Shire of Flinders Planning Scheme 1962—Amendment No. 120, 1979.
- Frankston—City of Frankston Planning Scheme—Amendments No. 11, 1977; No. 16, 1978; No. 20, Part 1, 1978.
- Horsham—City of Horsham Planning Scheme 1973—Amendments Nos. 44 and 46, 1978.
- Kilmore—Shire of Kilmore Planning Scheme 1973—Amendments Nos. 36, 37 and 40, 1979.
- Knox—City of Knox Planning Scheme 1965—Amendments No. 201, 1978; Nos. 205, 206 and 206A, 1979.
- Korumburra—Shire of Korumburra Planning Scheme—Amendments No. 13, 1979, Part 1; No. 14, 1979.
- Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 4.
- Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 85 and 89, 1977; Nos. 102, 107 and 108, 1978.
- Maffra—Shire of Maffra Planning Scheme (Heyfield Township)—Amendment No. 18, 1978.
- Melbourne Metropolitan Planning Scheme—Amendments No. 60, Part 1, with maps (seven papers); No. 87, Part 3, with map (two papers); No. 90, Part 1c, with map (two papers); No. 90, Part 2A, with maps (three papers); No. 90, Part 5, with map (two papers); No. 110, Part 1A, with maps (thirty papers); No. 110, Part 3, with maps (three papers); No. 116, Part 1, with maps (thirteen papers); No. 134; No. 136.
- Mildura—City of Mildura Planning Scheme—Amendment No. 29, 1979.
- Mornington—Shire of Mornington Planning Scheme 1959—Amendment No. 100, 1974, with maps (seven papers).
- Myrtleford (Township) Planning Scheme 1966—Amendment No. 6.
- Newham and Woodend—Shire of Newham and Woodend Planning Scheme 1975—Amendments Nos. 1 and 2, 1978.
- Rochester—Shire of Rochester (Rochester Township) Planning Scheme—Amendment No. 10, 1979.
- Seymour Planning Scheme—Amendment No. 48.
- Shepparton—City of Shepparton Planning Scheme 1953—Amendment No. 46, 1979.
- Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendments Nos. 19, 22 and 25.
- Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos. 15 and 18, 1979.
- Warragul Planning Scheme 1954—Amendments No. 31, 1977; No. 35, 1979.
- Werribee—Shire of Werribee Planning Scheme 1963—Amendment No. 67, 1979.

The Honorable E. H. Walker moved, That the following papers tabled by the Acting-Clerk be taken into consideration on the next day of meeting:

- Adult Parole Board Report, 1976–77.
- Decentralized Industry Housing Authority Report, 1978–79.
- Council of Public Education Report, 1978–79.
- Geelong Waterworks and Sewerage Trust—Accounts, 1978–79.
- Melbourne and Metropolitan Board of Works—Accounts, 1978–79.
- Melbourne Wholesale Fruit and Vegetable Market Trust Report, 1978–79.
- Monash University Council Report and Statutes, 1978.
- River Improvement Act 1958—Notice of Intention to Convert Hedley Drainage Area into a River Improvement District.
- Firearms (RAAF Museum Point Cook Exemption) Regulations 1980.
- Lotteries Gaming and Betting (Raffles and Bingo Permits) (Amendment) Regulations 1980.

- National Parks (Amendment No. 3) Regulations 1979.  
 Park (Amendment) Regulations 1979.  
 Nursing Council (Examiners' Fees) Regulations 1979.  
 Pharmacists (Fees) Regulations 1979.  
 Police (Constitution Strength Organization and Seniority) (Amendment No. 4) Regulations 1979.  
 Police (Constitution Strength Organization and Seniority) (Amendment No. 1) Regulations 1980.  
 Post-Secondary Education Commission Regulations 1980 (Amendment No. 5).  
 Racing (Licensing of Greyhound Racing Grounds Amendment) Regulations 1979.  
 Racing (Greyhound Registration Fees Amendment) Regulations 1980.  
 Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 4.  
 Melbourne Metropolitan Planning Scheme—Amendments No. 60, Part 1; No. 87, Part 3; No. 90, Part 1c; No. 90, Part 2A; No. 90, Part 5; No. 110, Part 1A; No. 110, Part 3; No. 116, Part 1; No. 134; and No. 136.  
 Shire of Tambo (Lakes Entrance) Planning Scheme—Amendments Nos. 19, 22 and 25.

Question—put and resolved in the affirmative.

- 11 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirteen minutes past Eleven o'clock, adjourned until tomorrow.

R. K. EVANS

*Acting-Clerk of the Legislative Council*

## No. 46—Wednesday, 12 March 1980

- 1 The President took the Chair and read the Prayer.  
 2 CONSTITUTIONAL POWERS (COASTAL WATERS) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with an amendment and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be now taken into consideration.

And the said amendment was read and is as follows:

Clause 1, line 14, omit "1979" and insert "1980".

On the motion of the Honorable Haddon Storey, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 3 PAPERS—

INTER-GOVERNMENT RELATIONS—The Honorable D. G. Crozier moved, by leave, That there be laid before this House a copy of the Report of the Advisory Council for Inter-Government Relations for the year ended 31 August 1979.

Question—put and resolved in the affirmative.

The said Paper was thereupon presented by the Honorable D. G. Crozier and ordered to lie on the Table.

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LOCAL GOVERNMENT ROLE AND STRUCTURE—The Honorable D. G. Crozier moved, by leave, That there be laid before this House a copy of the Final Report of the Board of Review of the Role, Structure and Administration of Local Government in Victoria.

Question—put and resolved in the affirmative.

The said Paper was thereupon presented by the Honorable D. G. Crozier and ordered to lie on the Table.

The Honorable W. A. Landeryou moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

\* \* \*

MURRAY VALLEY SALINITY CONTROL AND DRAINAGE—The Honorable F. J. Granter moved, by leave, That there be laid before this House a copy of the Report of Maunsell and Partners upon Murray Valley Salinity Control and Drainage.

Question—put and resolved in the affirmative.

The said Paper was thereupon presented by the Honorable F. J. Granter and ordered to lie on the Table.

The Honorable W. R. Baxter moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961—Ocean Road Planning Scheme—Amendment No. 15.

West Moorabool Water Board—Report and statement of accounts for the year 1978–79.

4 POSTPONEMENT OF NOTICE OF MOTION—Ordered—That the consideration of Notice of Motion, General Business, No. 1, be postponed until later this day.

5 FIREARMS, REPLICAS AND AMMUNITION—The Honorable W. A. Landeryou moved, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of manufacture, storage, distribution, licensing and sale of firearms, replicas of firearms and ammunition; the Committee to have power to send for persons, papers and records; three to be the quorum.

The Honorable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

6 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 3 and 4, be postponed until the next day of meeting.

7 FIRE SERVICES FUNDING—The Honorable K. I. Wright moved, That this House urges the Minister for Police and Emergency Services to devise a scheme as a matter of extreme urgency to alter the method of funding fire services so that the cost is shared more equitably throughout the community.

Debate ensued.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 8 POSTPONEMENT OF NOTICE OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, General Business, and Notice of Motion, Government Business, No. 1, be postponed until later this day.
- 9 PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell, having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.
- Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.
- 10 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 11 POST-SECONDARY EDUCATION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.
- Resolved—That the Council will, on Tuesday, 25 March, again resolve itself into the said Committee.
- 12 ADJOURNMENT—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until Tuesday next.
- Question—put and resolved in the affirmative.
- The Honorable A. J. Hunt moved, That the House do now adjourn.
- Debate ensued.
- Question—put and resolved in the affirmative.
- And then the Council, at seventeen minutes past Eleven o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*



*Mr President takes the Chair at a Quarter to Five o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Notices of Motion

- 1 The Hon. F. J. GRANTER—To move, That he have leave to bring in a Bill to amend the *Forests Act 1958*.
- \*2 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to make provision with respect to the funding of the Leo Cussen Institute for Continuing Legal Education, to amend the *Legal Profession Practice Act 1958* and for other purposes.

#### Orders of the Day

- 1 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 2 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. N. F. Stacey).*
- 4 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- 5 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- 6 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. W. M. Campbell).*
- ø7 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. K. I. WRIGHT—To move, That this House is of opinion that the present method of funding road works undertaken by municipalities and the increasing taxation burden on the State's motorists are unsatisfactory, and urges that the level of financial investment in Victoria's road system be increased substantially by the Government.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

- \*4 The Hon. CLIVE BUBB—To move, That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading—*Resumption of debate.* (Hon. D. N. Saltmarsh).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(Hon. Dr. K. J. Foley)—*Resumption of debate.* (Hon. H. R. Ward).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 18 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 19 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).
- 20 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 21 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 22 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 23 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 24 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 61.

- 25 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 26 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 27 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 28 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 29 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 30 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 31 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 32 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 33 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 34 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §35 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 36 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 37 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 38 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 39 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 40 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 41 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(*Hon. R. J. Long*).
- 42 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 43 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 44 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 45 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §46 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 47 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 48 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 49 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 50 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 51 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 52 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.

- 53 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 54 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 55 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 56 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 57 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 58 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 59 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 60 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 61 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 62 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 63 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 64 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 66 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 67 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 68 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 69 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 70 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 71 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 72 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 73 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
- 74 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 75 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
- 76 STATE ELECTRICITY COMMISSION REPORT, 1978-79—To be considered.
- 77 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978-79—To be considered.
- 78 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
- 79 INDUSTRIAL TRAINING COMMISSION REPORT, 1978-79—To be considered.
- 80 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 81 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- 82 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 83 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 84 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 85 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 86 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.

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- 87 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
  - 88 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
  - 89 OMBUDSMAN'S QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
  - 90 VICTORIA GRANTS COMMISSION REPORT, YEAR ENDED 31 AUGUST 1979—To be considered.
  - 91 IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS—PAPER PRESENTED BY MINISTER OF EDUCATION TO VICTORIAN TEACHERS' UNION GENERAL COUNCIL, 7 DECEMBER 1979—To be considered.
  - 92 MINISTERIAL STATEMENT—AIMS AND OBJECTIVES OF EDUCATION—To be considered.
  - 93 CROWN LANDS AND SURVEY DEPARTMENT REPORT, 1978-79—To be considered.
  - 94 TRADE UNIONS—GOVERNMENT STATIST'S REPORTS, 1977 AND 1978—To be considered.
  - 95 FORESTS COMMISSION REPORT, 1978-79—To be considered.
  - 96 HOUSING COMMISSION REPORT, 1978-79—To be considered.
  - 97 NATIONAL PARKS—DIRECTOR'S REPORT, 1978-79—To be considered.
  - 98 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
  - 99 ADULT PAROLE BOARD REPORT, 1976-77—To be considered.
  - 100 DECENTRALIZED INDUSTRY HOUSING AUTHORITY REPORT, 1978-79—To be considered.
  - 101 COUNCIL OF PUBLIC EDUCATION REPORT, 1978-79—To be considered.
  - 102 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1978-79—To be considered.
  - 103 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1978—To be considered.
  - 104 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—To be considered.
  - 105 MELBOURNE AND METROPOLITAN BOARD OF WORKS—ACCOUNTS, 1978-79—To be considered.
  - 106 RIVER IMPROVEMENT ACT 1958—NOTICE OF INTENTION TO CONVERT HEDLEY DRAINAGE AREA INTO A RIVER IMPROVEMENT DISTRICT—To be considered.
  - 107 FIREARMS (RAAF MUSEUM POINT COOK EXEMPTION) REGULATIONS 1980—To be considered.
  - 108 LOTTERIES GAMING AND BETTING (RAFFLES AND BINGO PERMITS) (AMENDMENT) REGULATIONS 1980—To be considered.
  - 109 NURSING COUNCIL (EXAMINERS' FEES) REGULATIONS 1979—To be considered.
  - 110 PHARMACISTS (FEES) REGULATIONS 1979—To be considered.
  - 111 POLICE (CONSTITUTION STRENGTH ORGANIZATION AND SENIORITY) (AMENDMENT No. 4) REGULATIONS 1979—To be considered.
  - 112 POLICE (CONSTITUTION STRENGTH ORGANIZATION AND SENIORITY) (AMENDMENT No. 1) REGULATIONS 1980—To be considered.
  - 113 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
  - 114 PARK (AMENDMENT) REGULATIONS 1979—To be considered.
  - 115 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
  - 116 RACING (LICENSING OF GREYHOUND RACING GROUNDS AMENDMENT) REGULATIONS 1979—To be considered.
  - 117 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.



- 118 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 119 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENTS No. 60, PART 1; No. 87, PART 3; No. 90, PART 1c; No. 90, PART 2A; No. 90, PART 5; No. 110, PARTS 1A AND 3; No. 116, PART 1; No. 134; No. 136—To be considered.
- 120 TAMBO—SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- \*121 LOCAL GOVERNMENT—FINAL REPORT OF BOARD OF REVIEW OF ROLE, STRUCTURE AND ADMINISTRATION—To be considered.
- \*122 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- \*123 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- \*124 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).

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**TUESDAY, 25 MARCH**

**GOVERNMENT BUSINESS**

**Order of the Day**

- 1 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—To be further considered in Committee.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. K. I. WRIGHT—To move, That this House is of opinion that the present method of funding road works undertaken by municipalities and the increasing taxation burden on the State's motorists are unsatisfactory, and urges that the level of financial investment in Victoria's road system be increased substantially by the Government.
- 4 The Hon. CLIVE BUBB—To move, That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 18 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 19 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 20 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 21 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 22 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
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- 24 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 25 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 26 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 27 RAILWAYS BOARD REPORT, 1978-79—To be considered.
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- 29 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 30 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 31 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 32 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 33 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 34 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §35 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 36 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 37 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 38 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 39 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 40 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 41 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination,

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 61.

water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).

- 42 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 43 COUNTRY ROADS BOARD REPORT, 1978–79—To be considered.
- 44 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.
- 45 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978–79—To be considered.
- §46 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 47 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 48 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
- 49 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978–79—To be considered.
- 50 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 51 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR’S REPORT, 1977–78—To be considered.
- 52 CO-OPERATIVE SOCIETIES—REGISTRAR’S REPORT, 1977–78—To be considered.
- 53 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977–78—To be considered.
- 54 GAS AND FUEL CORPORATION REPORT, 1978–79—To be considered.
- 55 LIBRARY COUNCIL REPORTS, 1976–77 AND 1977–78—To be considered.
- 56 OMBUDSMAN’S ANNUAL REPORT FOR 1978–79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 57 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 58 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978–79—To be considered.
- 59 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978–79—To be considered.
- 60 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 61 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS’ VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 62 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 63 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 64 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 66 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 67 PLACE NAMES COMMITTEE REPORT, 1978–79—To be considered.
- 68 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978–79—To be considered.
- 69 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978–79—To be considered.
- 70 STATE SUPERANNUATION BOARD REPORT, 1977–78—To be considered.

- 71 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. G. A. Sgro)—Resumption of debate. (Hon. W. A. Landeryou).
- 72 ALBURY—WODONGA (VICTORIA) CORPORATION REPORT, 1977–78—To be considered.
- 73 CONSUMER AFFAIRS COUNCIL REPORT, 1978–79—To be considered.
- 74 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 75 RURAL FINANCE COMMISSION REPORT, 1978–79—To be considered.
- 76 STATE ELECTRICITY COMMISSION REPORT, 1978–79—To be considered.
- 77 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978–79—To be considered.
- 78 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
- 79 INDUSTRIAL TRAINING COMMISSION REPORT, 1978–79—To be considered.
- 80 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 81 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978–79—To be considered.
- 82 RIVER MURRAY COMMISSION REPORT, 1978–79—To be considered.
- 83 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978–79—To be considered.
- 84 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 85 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 86 VICTORIAN EGG MARKETING BOARD REPORT, 1978–79—To be considered.
- 87 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978–79—To be considered.
- 88 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978–79—To be considered.
- 89 OMBUDSMAN'S QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 90 VICTORIA GRANTS COMMISSION REPORT, YEAR ENDED 31 AUGUST 1979—To be considered.
- 91 IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS—PAPER PRESENTED BY MINISTER OF EDUCATION TO VICTORIAN TEACHERS' UNION GENERAL COUNCIL, 7 DECEMBER 1979—To be considered.
- 92 MINISTERIAL STATEMENT—AIMS AND OBJECTIVES OF EDUCATION—To be considered.
- 93 CROWN LANDS AND SURVEY DEPARTMENT REPORT, 1978–79—To be considered.
- 94 TRADE UNIONS—GOVERNMENT STATIST'S REPORTS, 1977 AND 1978—To be considered.
- 95 FORESTS COMMISSION REPORT, 1978–79—To be considered.
- 96 HOUSING COMMISSION REPORT, 1978–79—To be considered.
- 97 NATIONAL PARKS—DIRECTOR'S REPORT, 1978–79—To be considered.
- 98 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978–79—To be considered.
- 99 ADULT PAROLE BOARD REPORT, 1976–77—To be considered.
- 100 DECENTRALIZED INDUSTRY HOUSING AUTHORITY REPORT, 1978–79—To be considered.
- 101 COUNCIL OF PUBLIC EDUCATION REPORT, 1978–79—To be considered.
- 102 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1978–79—To be considered.
- 103 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1978—To be considered.
- 104 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978–79—To be considered.

- 105 MELBOURNE AND METROPOLITAN BOARD OF WORKS—ACCOUNTS, 1978–79—To be considered.
- 106 RIVER IMPROVEMENT ACT 1958—NOTICE OF INTENTION TO CONVERT HEDLEY DRAINAGE AREA INTO A RIVER IMPROVEMENT DISTRICT—To be considered.
- 107 FIREARMS (RAAF MUSEUM POINT COOK EXEMPTION) REGULATIONS 1980—To be considered.
- 108 LOTTERIES GAMING AND BETTING (RAFFLES AND BINGO PERMITS) (AMENDMENT) REGULATIONS 1980—To be considered.
- 109 NURSING COUNCIL (EXAMINERS' FEES) REGULATIONS 1979—To be considered.
- 110 PHARMACISTS (FEES) REGULATIONS 1979—To be considered.
- 111 POLICE (CONSTITUTION STRENGTH ORGANIZATION AND SENIORITY) (AMENDMENT No. 4) REGULATIONS 1979—To be considered.
- 112 POLICE (CONSTITUTION STRENGTH ORGANIZATION AND SENIORITY) (AMENDMENT No. 1) REGULATIONS 1980—To be considered.
- 113 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 114 PARK (AMENDMENT) REGULATIONS 1979—To be considered.
- 115 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 116 RACING (LICENSING OF GREYHOUND RACING GROUNDS AMENDMENT) REGULATIONS 1979—To be considered.
- 117 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 118 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 119 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENTS No. 60, PART 1; No. 87, PART 3; No. 90, PART 1c; No. 90, PART 2a; No. 90, PART 5; No. 110, PARTS 1a AND 3; No. 116, PART 1; No. 134; No. 136—To be considered.
- 120 TAMBO—SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 121 LOCAL GOVERNMENT—FINAL REPORT OF BOARD OF REVIEW OF ROLE, STRUCTURE AND ADMINISTRATION—To be considered.
- 122 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 123 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. Haddon Storey).
- 124 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(Hon. K. I. Wright)—*Resumption of debate.* (Hon. R. J. Eddy).
- \*125 MINISTERIAL STATEMENT—UPVC AND VITRIFIED CLAY SEWER PIPES—To be considered.
- \*126 DRUGS—REPORT OF AUSTRALIAN ROYAL COMMISSION AND MINISTERIAL STATEMENT THEREON—To be considered.

## GOVERNMENT BUSINESS

### Notices of Motion

- 1 The Hon. F. J. GRANTER—To move, That he have leave to bring in a Bill to amend the *Forests Act 1958*.
- 2 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to make provision with respect to the funding of the Leo Cussen Institute for Continuing Legal Education, to amend the *Legal Profession Practice Act 1958* and for other purposes.

## Orders of the Day

- 1 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*Hon. D. G. Crozier*)—  
Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 2 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second  
reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 3 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(*Hon.*  
*Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- 4 IMPERIAL ACTS APPLICATION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. W. M. Campbell*).
- 5 IMPERIAL LAW RE-ENACTMENT BILL—(*Hon. Haddon Storey*)—Second reading  
—*Resumption of debate.* (*Hon. W. M. Campbell*).
- 6 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second  
reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ø7 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. Haddon Storey*).

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## TUESDAY, 25 MARCH GOVERNMENT BUSINESS

### Order of the Day

- 1 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—To be  
further considered in Committee.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

## LEGISLATIVE COUNCIL OF VICTORIA

## MINUTES OF THE PROCEEDINGS

No. 47—Tuesday, 18 March 1980

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:  
*Constitutional Powers (Coastal Waters) Act.*  
*Parliamentary Committees (Public Bodies Review) Act.*
- 3 PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
- 4 MINISTERIAL STATEMENT—UPVC AND VITRIFIED CLAY PIPES—The Honorable F. J. Granter made a Ministerial Statement relating to the use of UPVC and vitrified clay sewer pipes.

The Honorable D. R. White moved, That the Ministerial Statement be taken into consideration forthwith.

Debate ensued.

Question—That the Ministerial Statement be taken into consideration—put and resolved in the affirmative.

Question—That the Ministerial Statement be taken into consideration forthwith—proposed.

The Honorable A. J. Hunt moved, as an amendment, That the word “forthwith” be omitted with a view to inserting in place thereof “the next day of meeting”.

Question—That the word proposed to be omitted be so omitted—put.

The Council divided.

AYES, 25

The Hon. H. G. Baylor  
P. D. Block  
C. Bubb (*Teller*)  
W. M. Campbell  
B. A. Chamberlain  
*(Teller)*  
D. G. Crozier  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr R. W. Howard

NOES, 14

The Hon. W. R. Baxter  
G. A. S. Butler  
Joan Coxsedge  
R. J. Eddy (*Teller*)  
D. M. Evans  
D. E. Kent (*Teller*)  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White  
K. I. Wright



A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it was resolved in the affirmative.

Question—That the words proposed to be inserted be so inserted—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest (*Teller*)  
 H. M. Hamilton (*Teller*)  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

NOES, 11

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.

Question—That the Ministerial Statement be taken into consideration on the next day of meeting—put and resolved in the affirmative.

- 5 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable N. F. Stacey moved, That the Council do now adjourn, and said he proposed to speak to the subject of “The need for accountability in schools”; and six other Honorable Members having risen in their places and required the motion to be proposed—

*Interruption—*

- 6 PAPER—The Honorable Haddon Storey presented, by command of His Excellency the Governor—

Drugs—Report of the Australian Royal Commission of Inquiry.

Ordered to lie on the Table.

- 7 MINISTERIAL STATEMENT—DRUGS—The Honorable Haddon Storey made a Ministerial Statement in connection with the tabling of the Report of the Australian Royal Commission into Drugs.

The Honorable W. A. Landeryou moved, That the Report and the Ministerial Statement in relation thereto be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 8 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—Debate ensued on the question, That the Council do now adjourn.

Question—put and resolved in the affirmative.

And then the Council, at forty-three minutes past Ten o'clock, adjourned until tomorrow.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

## No. 48—Wednesday, 19 March 1980

- 1 The President took the Chair and read the Prayer.
- 2 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable D. E. Kent moved, That the Council do now adjourn, and said he proposed to speak to the subject of "The refusal of the Minister of Lands to negotiate towards a settlement with personnel dismissed by the Vermin and Noxious Weeds Destruction Board in February last"; and six other Honorable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

### AYES, 17

The Hon. W. R. Baxter  
G. A. S. Butler  
Joan Coxsedgē  
B. P. Dunn  
R. J. Eddy  
D. M. Evans  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas (*Teller*)  
I. B. Trayling (*Teller*)  
E. H. Walker

### NOES, 22

The Hon. H. G. Baylor  
C. Bubb  
B. A. Chamberlain  
D. G. Crozier  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward (*Teller*)  
W. V. Houghton  
Dr R. W. Howard  
(*Teller*)  
A. J. Hunt  
Glyn Jenkins

J. M. Walton  
D. R. White  
K. I. Wright

R. I. Knowles  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
J. A. Taylor  
H. R. Ward

And so it passed in the negative.

- 3 STATE DEVELOPMENT COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorable D. R. White be discharged from attendance upon the State Development Committee and that the Honorable R. A. Mackenzie be added to such Committee.

Question—put and resolved in the affirmative.

- 4 PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey be members of the Public Accounts and Expenditure Review Committee, and that the said Committee have power to send for persons, papers and records.

Question—put and resolved in the affirmative.

- 5 PUBLIC BODIES REVIEW COMMITTEE—The Honorable A. J. Hunt moved, by leave, That the Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White be members of the Public Bodies Review Committee, and that the said Committee have power to send for persons, papers and records.

Question—put and resolved in the affirmative.

- 6 LOCAL GOVERNMENT (VALIDATION) BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to validate Instruments executed by the Minister for Local Government in exercise of the power conferred by section 181 of the *Local Government Act 1958* to remove certain disabilities from certain Councillors of certain Municipalities, to amend section 181 of the *Local Government Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

7 PAPERS—

TEACHER EDUCATION—The Honorable A. J. Hunt moved, by leave, That there be laid before this House a copy of the Interim Report of the Committee of the Victorian Enquiry into Teacher Education.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honorable A. J. Hunt and ordered to lie on the Table.

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The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Health Commission—Report for the period ended 30 June 1979.

Motor Accidents Board—Report for the year 1978–79.

Police Service Board—Determinations Nos. 312 to 317, 319 and 320.

State Development Committee—Report on the use of UPVC and Vitrified Clay Sewer Pipes in Victoria.

Town and Country Planning Act 1961—

Cranbourne Planning Scheme 1960—Amendment No. 33, 1979.

Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme—  
Amendment No. 6, 1978.

Moe—City of Moe Planning Scheme—Amendment No. 54.

The Honorable E. H. Walker moved, That the following papers tabled by the Clerk be taken into consideration on the next day of meeting:

Health Commission Report, 1978–79.

Motor Accidents Board Report, 1978–79.

State Development Committee Report on the use of UPVC and Vitrified Clay Sewer Pipes in Victoria.

Question—put and resolved in the affirmative.

8 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.

9 INDUSTRIAL UNREST—The Honorable Clive Bubb moved, That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria.

The Honorable W. A. Landeryou moved, as an amendment, That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”.

Debate ensued.

The Honorable D. K. Hayward moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

10 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 1 to 103 inclusive, be postponed until later this day.

11 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978–79—The Order of the Day for the consideration of the Accounts of the Geelong Waterworks and Sewerage Trust for 1978–79 having been read, the Honorable R. A. Mackenzie moved, That the Council take note of the Accounts.

Debate ensued.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 105 to 126 inclusive, be postponed until later this day.

13 FORESTS (AMENDMENT) BILL—On the motion of the Honorable F. J. Granter, leave was given to bring in a Bill to amend the *Forests Act* 1958, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 14 LEGAL PROFESSION PRACTICE (LEO CUSSEN INSTITUTE) BILL—On the motion of the Honorable Haddon Storey, leave was given to bring in a Bill to make provision with respect to the funding of the Leo Cussen Institute for Continuing Legal Education, to amend the *Legal Profession Practice Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 15 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 16 IMPERIAL ACTS APPLICATION BILL—DISCHARGE OF ORDER OF THE DAY—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time having been read—  
The Honorable Haddon Storey moved, That the said Order be discharged.  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be withdrawn.
- 17 IMPERIAL LAW RE-ENACTMENT BILL—DISCHARGE OF ORDER OF THE DAY—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time having been read—  
The Honorable Haddon Storey moved, That the said Order be discharged.  
Question—put and resolved in the affirmative.  
Ordered—That the Bill be withdrawn.
- 18 LEGAL PROFESSION PRACTICE (LEO CUSSEN INSTITUTE) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 19 LOCAL GOVERNMENT (VALIDATION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.  
The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 20 FORESTS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.  
The Honorable R. J. Eddy, for the Honorable D. E. Kent, moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 21 AGRICULTURAL CHEMICALS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for Pesticides to be described as Agricultural Chemicals, to make provision concerning the Use of Agricultural Chemicals, to amend the 'Pesticides Act 1958', the 'Health Act 1958', the 'Stock Medicines Act 1958', the 'Fertilizers Act 1974' and for other purposes*" and desiring the concurrence of the Council therein.  
On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

22 ADJOURNMENT—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twelve minutes past Eleven o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*



*Mr President takes the Chair at a Quarter to Five o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Notices of Motion

- \*1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to make further provision with respect to certain enactments of the Parliament of England and of the Parliament of Great Britain and of the Parliament of the United Kingdom of Great Britain and Ireland in force at the time of the passing of the Act 9 George IV. c. LXXXIII., to incorporate into the Statute Law of Victoria certain of such enactments, to amend the *Imperial Acts Application Act 1922* and for other purposes.
- \*2 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to re-enact certain Imperial Laws applying in Victoria as part of the Statute Law of Victoria, to repeal Part III. of the *Imperial Acts Application Act 1922*, to amend various Acts and for other purposes.
- \*3 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to amend the *Protection of Animals Act 1966* and for other purposes.
- \*4 The Hon. A. J. HUNT—To move, That the Orders of the Day, General Business, other than those relating to Bills and Motions, be discharged.

#### Orders of the Day

- \*1 AGRICULTURAL CHEMICALS BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- 2 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(Hon. A. J. Hunt)—To be further considered in Committee.
- 3 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 4 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- \*5 LOCAL GOVERNMENT (VALIDATION) BILL—(Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- \*6 FORESTS (AMENDMENT) BILL—(Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- \*7 LEGAL PROFESSION PRACTICE (LEO CUSSEN INSTITUTE) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 8 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- 9 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ø10 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.



## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. K. I. WRIGHT—To move, That this House is of opinion that the present method of funding road works undertaken by municipalities and the increasing taxation burden on the State's motorists are unsatisfactory, and urges that the level of financial investment in Victoria's road system be increased substantially by the Government.
- \*4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 COUNTRY FIRE AUTHORITY REPORT, 1977-78—To be considered.
- 6 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
- 7 ARTS CENTRE BUILDING COMMITTEE REPORT, 1977-78—To be considered.
- 8 ARTS COUNCIL REPORT, 1977-78—To be considered.
- 9 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1976-77—To be considered.
- 10 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate. (Hon. H. R. Ward).*
- 11 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §13 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- §14 TEACHING SERVICE REGULATIONS—AMENDMENTS NOS. 479 AND 480—To be considered.
- §15 MINISTERIAL STATEMENT—TEACHERS IN EXCESS—To be considered.
- §16 MINISTERIAL STATEMENT—CO-ORDINATION OF ADVANCED EDUCATION—To be considered.
- 17 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 61.

- 18 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 19 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).
- 20 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 21 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 22 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 23 ANTI-CANCER COUNCIL REPORT, 1978-79—To be considered.
- 24 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 25 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. D. G. Crozier).
- 26 LAW REFORM COMMISSIONER'S REPORT, 1978-79—To be considered.
- 27 RAILWAYS BOARD REPORT, 1978-79—To be considered.
- 28 STATE SAVINGS BANK REPORTS, STATEMENTS, RETURNS &c, 1978-79—To be considered.
- 29 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 30 VICTORIAN INSTITUTE OF SECONDARY EDUCATION REPORT, 1978—To be considered.
- 31 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 32 PUBLIC RECORD OFFICE REPORT, 1978-79—To be considered.
- 33 TRANSPORT REGULATION BOARD REPORT, 1978-79—To be considered.
- 34 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J. Hunt).
- §35 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 36 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. K. I. Wright).
- 37 STATE INSURANCE OFFICE STATEMENT OF ACCOUNTS, 1978-79—To be considered.
- 38 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 39 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 40 TAXATION ANALYSIS—LAND TAX, 1978, AND PROBATE AND GIFT DUTY, 1978-79—To be considered.
- 41 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (Hon. D. M. Evans)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(Hon. R. J. Long).
- 42 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 43 COUNTRY ROADS BOARD REPORT, 1978-79—To be considered.
- 44 HOSPITALS SUPERANNUATION FUND—FOURTH ACTUARIAL INVESTIGATION—To be considered.

- 45 VICTORIAN DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- §46 MINISTERIAL STATEMENT—TEACHER APPOINTMENTS—To be considered.
- 47 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 48 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 49 MELBOURNE UNDERGROUND RAIL LOOP AUTHORITY REPORT, 1978-79—To be considered.
- 50 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 51 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 52 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 53 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1977-78—To be considered.
- 54 GAS AND FUEL CORPORATION REPORT, 1978-79—To be considered.
- 55 LIBRARY COUNCIL REPORTS, 1976-77 AND 1977-78—To be considered.
- 56 OMBUDSMAN'S ANNUAL REPORT FOR 1978-79 AND QUARTERLY REPORT, JUNE 1979—To be considered.
- 57 RAILWAYS BOARD QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 58 STATE LIBRARY AND NATIONAL MUSEUM BUILDINGS COMMITTEE REPORT, 1978-79—To be considered.
- 59 MELBOURNE AND METROPOLITAN TRAMWAYS BOARD REPORT, 1978-79—To be considered.
- 60 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 61 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 62 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 63 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 64 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 65 CONVEYANCING—INTERIM REPORT OF COMMITTEE OF INQUIRY—To be considered.
- 66 DRIED FRUITS BOARD STATEMENT OF ACCOUNTS, 1978—To be considered.
- 67 PLACE NAMES COMMITTEE REPORT, 1978-79—To be considered.
- 68 PORT OF MELBOURNE AUTHORITY FINANCIAL STATEMENTS, 1978-79—To be considered.
- 69 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1978-79—To be considered.
- 70 STATE SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- 71 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 72 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1977-78—To be considered.
- 73 CONSUMER AFFAIRS COUNCIL REPORT, 1978-79—To be considered.
- 74 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 75 RURAL FINANCE COMMISSION REPORT, 1978-79—To be considered.
- 76 STATE ELECTRICITY COMMISSION REPORT, 1978-79—To be considered.
- 77 EMERALD TOURIST RAILWAY BOARD FINANCIAL STATEMENTS, 1978-79—To be considered.

- 78 GEELONG REGIONAL COMMISSION REPORT, PERIOD ENDED 30 JUNE 1978—To be considered.
- 79 INDUSTRIAL TRAINING COMMISSION REPORT, 1978-79—To be considered.
- 80 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 81 POULTRY FARMER LICENSING COMMITTEE REPORT, 1978-79—To be considered.
- 82 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 83 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 84 VICTORIA INSTITUTE OF COLLEGES REPORT, 1978—To be considered.
- 85 VICTORIAN BROWN COAL COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 86 VICTORIAN EGG MARKETING BOARD REPORT, 1978-79—To be considered.
- 87 VICTORIAN PUBLIC OFFICES CORPORATION REPORT, 1978-79—To be considered.
- 88 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 89 OMBUDSMAN'S QUARTERLY REPORT, SEPTEMBER 1979—To be considered.
- 90 VICTORIA GRANTS COMMISSION REPORT, YEAR ENDED 31 AUGUST 1979—To be considered.
- 91 IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS—PAPER PRESENTED BY MINISTER OF EDUCATION TO VICTORIAN TEACHERS' UNION GENERAL COUNCIL, 7 DECEMBER 1979—To be considered.
- 92 MINISTERIAL STATEMENT—AIMS AND OBJECTIVES OF EDUCATION—To be considered.
- 93 CROWN LANDS AND SURVEY DEPARTMENT REPORT, 1978-79—To be considered.
- 94 TRADE UNIONS—GOVERNMENT STATIST'S REPORTS, 1977 AND 1978—To be considered.
- 95 FORESTS COMMISSION REPORT, 1978-79—To be considered.
- 96 HOUSING COMMISSION REPORT, 1978-79—To be considered.
- 97 NATIONAL PARKS—DIRECTOR'S REPORT, 1978-79—To be considered.
- 98 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
- 99 ADULT PAROLE BOARD REPORT, 1976-77—To be considered.
- 100 DECENTRALIZED INDUSTRY HOUSING AUTHORITY REPORT, 1978-79—To be considered.
- 101 COUNCIL OF PUBLIC EDUCATION REPORT, 1978-79—To be considered.
- 102 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1978-79—To be considered.
- 103 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1978—To be considered.
- 104 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate. (Hon. D. R. White)*.
- 105 MELBOURNE AND METROPOLITAN BOARD OF WORKS—ACCOUNTS, 1978-79—To be considered.
- 106 RIVER IMPROVEMENT ACT 1958—NOTICE OF INTENTION TO CONVERT HEDLEY DRAINAGE AREA INTO A RIVER IMPROVEMENT DISTRICT—To be considered.
- 107 FIREARMS (RAAF MUSEUM POINT COOK EXEMPTION) REGULATIONS 1980—To be considered.
- 108 LOTTERIES GAMING AND BETTING (RAFFLES AND BINGO PERMITS) (AMENDMENT) REGULATIONS 1980—To be considered.

- 109 NURSING COUNCIL (EXAMINERS' FEES) REGULATIONS 1979—To be considered.
- 110 PHARMACISTS (FEES) REGULATIONS 1979—To be considered.
- 111 POLICE (CONSTITUTION STRENGTH ORGANIZATION AND SENIORITY) (AMENDMENT No. 4) REGULATIONS 1979—To be considered.
- 112 POLICE (CONSTITUTION STRENGTH ORGANIZATION AND SENIORITY) (AMENDMENT No. 1) REGULATIONS 1980—To be considered.
- 113 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 114 PARK (AMENDMENT) REGULATIONS 1979—To be considered.
- 115 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 116 RACING (LICENSING OF GREYHOUND RACING GROUNDS AMENDMENT) REGULATIONS 1979—To be considered.
- 117 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 118 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 119 MELBOURNE METROPOLITAN PLANNING SCHEME—AMENDMENTS No. 60, PART 1; No. 87, PART 3; No. 90, PART 1C; No. 90, PART 2A; No. 90, PART 5; No. 110, PARTS 1A AND 3; No. 116, PART 1; No. 134; No. 136—To be considered.
- 120 TAMBO—SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 121 LOCAL GOVERNMENT—FINAL REPORT OF BOARD OF REVIEW OF ROLE, STRUCTURE AND ADMINISTRATION—To be considered.
- 122 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 123 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 124 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 125 MINISTERIAL STATEMENT—UPVC AND VITRIFIED CLAY SEWER PIPES—To be considered.
- 126 DRUGS—REPORT OF AUSTRALIAN ROYAL COMMISSION AND MINISTERIAL STATEMENT THEREON—To be considered.
- \*127 HEALTH COMMISSION REPORT, 1978-79—To be considered.
- \*128 MOTOR ACCIDENTS BOARD REPORT, 1978-79—To be considered.
- \*129 UPVC AND VITRIFIED CLAY SEWER PIPES—REPORT OF STATE DEVELOPMENT COMMITTEE—To be considered.
- \*130 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).

*Mr President takes the Chair at a Quarter past Four o'clock*

# LEGISLATIVE COUNCIL

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. K. I. WRIGHT—To move, That this House is of opinion that the present method of funding road works undertaken by municipalities and the increasing taxation burden on the State's motorists are unsatisfactory, and urges that the level of financial investment in Victoria's road system be increased substantially by the Government.
- 4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*5 The Hon. JOAN COXSEGE—To move, That there be a Select Committee of eight Members appointed to examine and report upon the desirability of the abolition of the Special Branch of the Victoria Police Force; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*6 The Hon. D. R. WHITE—To move, That this House is of the opinion that the rates of the Melbourne and Metropolitan Board of Works are too high because of the failure of the Government to reform the financial operations of the Board.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading—*Resumption of debate.* (Hon. D. N. Saltmarsh).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(Hon. Dr. K. J. Foley)—*Resumption of debate.* (Hon. H. R. Ward).

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—The the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. D. G. Crozier).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J. Hunt).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. K. I. Wright).
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (Hon. D. M. Evans)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(Hon. R. J. Long).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUNDS RACING GROUNDS (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 37 TAMBO—SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).



- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- \*53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- \*54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978–79—To be considered.
- \*55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.

## GOVERNMENT BUSINESS

### Notice of Motion

- \*1 The Hon. D. G. CROZIER—To move, That he have leave to bring in a Bill to amend the *Dog Act* 1970 and for other purposes.

### Orders of the Day

- \*1 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading.
- \*2 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2)—(*Hon. W. V. Houghton*)—Second reading.
- 3 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—To be further considered in Committee.
- 4 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 5 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 6 LOCAL GOVERNMENT (VALIDATION) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 7 FORESTS (AMENDMENT) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 8 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- 9 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ø10 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

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TUESDAY, 1 APRIL

## GOVERNMENT BUSINESS

### Orders of the Day

- 1 AGRICULTURAL CHEMICALS BILL—(*from Assembly—Hon. W. V. Houghton*)—second reading—*Rsumption of debate.* (*Hon. R. A. Mackenzie*).
- \*2 PROTECTION OF ANIMALS (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).

## GENERAL BUSINESS

### Order of the Day

- \*1 MINISTERIAL STATEMENT—ALUMINIUM SMELTER OF PORTLAND—To be considered.

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ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

**TUESDAY, 8 APRIL**  
**GOVERNMENT BUSINESS**

**Orders of the Day**

- \*1 IMPERIAL ACTS APPLICATION BILL (No. 2)—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- \*2 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).

**A. R. B. McDONNELL**  
*Clerk of the Legislative Council*

**FRED S. GRIMWADE**  
*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorable Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

No. 49—Tuesday, 25 March 1980

- 1 The President took the Chair and read the Prayer.
- 2 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for *“An Act to make Provision with respect to the Compensation payable for certain Land in Central Gippsland, and for other purposes”* and desiring the concurrence of the Council therein.  
On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—The Honorable D. G. Crozier made a Ministerial Statement regarding the proposal for an aluminium smelter at Portland.  
The Honorable W. A. Landeryou moved, That the Ministerial Statement be taken into consideration on Tuesday next.  
Question—put and resolved in the affirmative.
- 4 MINISTERIAL STATEMENT—MELBOURNE AND METROPOLITAN BOARD OF WORKS HEAD OFFICE BUILDING—The Honorable F. J. Granter made a Ministerial Statement relating to the cladding on the Head Office Building of the Melbourne and Metropolitan Board of Works.  
The Honorable D. R. White moved, That the Ministerial Statement be taken into consideration forthwith.  
Question—put and resolved in the affirmative.  
The Honorable D. R. White moved, That the Council take note of the Ministerial Statement.  
Debate ensued.  
The Honorable W. R. Baxter moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 5 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable C. J. Kennedy moved, That the Council do now adjourn, and said he proposed to speak to the subject of *“The failure of the Government to provide sufficient funds to school councils of State schools so as to ensure that no charges are made against parents and pupils”*; and six other Honorable Members having risen in their places and required the motion to be proposed—  
Debate ensued.  
Question—put and negatived.

- 6 IMPERIAL ACTS APPLICATION BILL (No. 2) AND IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—The Honorable A. J. Hunt, for the Honorable Haddon Storey, moved, by leave, That this House authorizes and requires the Honorable the President to permit the second readings of the Imperial Acts Application Bill (No. 2) and the Imperial Law Re-enactment Bill (No. 2) to be moved concurrently and debated concurrently with Order of the Day, Government Business No. 9.

Question—put and resolved in the affirmative.

- 7 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2)—On the motion (by leave without notice) of the Honorable W. V. Houghton, leave was given to bring in a Bill to revoke the Permanent Reservations of certain Lands and for Purposes connected therewith, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 8 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Publications—Report of the State Classification of Publications Board for the year 1978–79.

Teaching Service (Teachers Tribunal) Regulations—Amendment No. 509.

Town and Country Planning Act 1961—

Portland—Town of Portland Planning Scheme—Amendment No. 23.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 41, 1978.

Victorian Public Offices Corporation Act 1974—Report of exercise of powers by the Corporation pursuant to sub-section (2) of section 9.

The Honorable W. A. Landeryou moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 IMPERIAL ACTS APPLICATION BILL (No. 2)—On the motion of the Honorable A. J. Hunt, for the Honorable Haddon Storey, leave was given to bring in a Bill to make further provision with respect to certain enactments of the Parliament of England and of the Parliament of Great Britain and of the Parliament of the United Kingdom of Great Britain and Ireland in force at the time of the passing of the Act 9 George IV. c. LXXXIII., to incorporate into the Statute Law of Victoria certain of such enactments, to amend the *Imperial Acts Application Act* 1922 and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 10 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—On the motion of the Honorable A. J. Hunt, for the Honorable Haddon Storey, leave was given to bring in a Bill to re-enact certain Imperial Laws applying in Victoria as part of the Statute Law of Victoria, to repeal Part III. of the *Imperial Acts Application Act* 1922, to amend various Acts and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 11 PROTECTION OF ANIMALS (AMENDMENT) BILL—On the motion of the Honorable W. V. Houghton, leave was given to bring in a Bill to amend the *Protection of Animals Act* 1966 and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 12 DISCHARGE OF ORDERS OF THE DAY—Leave having been given to amend his Notice of Motion, the Honorable A. J. Hunt moved, That the Orders of the Day, General Business, be discharged save those relating to Bills and Motions, and Nos. 11, 13, 17, 22, 24, 29, 31, 35, 38, 39, 42, 48, 51, 62, 74, 80, 82, 83, 88, 98, 104, 113, 115, 116, 117, 118, 120 and 122.

Question—put and resolved in the affirmative.

- 13 AGRICULTURAL CHEMICALS BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 14 IMPERIAL ACTS APPLICATION BILL (No. 2) AND IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—Pursuant to the resolution of the Council, the Orders of the Day for the second readings of each of these Bills having severally been read, the Honorable Haddon Storey moved, That these Bills be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday, 8 April.

- 15 PROTECTION OF ANIMALS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 16 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 6 inclusive, be postponed until later this day.

- 17 LEGAL PROFESSION PRACTICE (LEO CUSSEN INSTITUTE) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable D. M. Evans having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 18 ADJOURNMENT—The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council at forty-four minutes past Nine o'clock, adjourned until tomorrow.

## No. 50—Wednesday, 26 March 1980

1 The President took the Chair and read the Prayer.

2 PAPERS—

CONSERVATION OF ENERGY RESOURCES COMMITTEE—FOURTH PROGRESS REPORT—  
The Honorable I. B. Trayling presented the Fourth Progress Report from the Conservation of Energy Resources Committee upon Restructuring of Motoring Costs, together with extracts from the proceedings of the Committee.

Ordered to lie on the Table, and to be printed.

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The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Town and Country Planning Act 1961—

Mildura—City of Mildura Planning Scheme—Amendments No. 28 and 30, 1979.

Moe—City of Moe Planning Scheme—Amendment No. 52, Part 2.

3 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 5 inclusive, be postponed until later this day.

4 MELBOURNE AND METROPOLITAN BOARD OF WORKS—FINANCIAL OPERATIONS—The Honorable D. R. White moved, That this House is of the opinion that the rates of the Melbourne and Metropolitan Board of Works are too high because of the failure of the Government to reform the financial operations of the Board.

Debate ensued.

The Honorable F. J. Granter moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

5 ROAD WORKS FUNDING—The Honorable K. I. Wright moved, That this House is of opinion that the present method of funding road works undertaken by municipalities and the increasing taxation burden on the State's motorists are unsatisfactory, and urges that the level of financial investment in Victoria's road system be increased substantially by the Government.

The Honorable D. G. Crozier moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

6 POLICE SPECIAL BRANCH—The Honorable Joan Coxsedg moved, That there be a Select Committee of eight Members appointed to examine and report upon the desirability of the abolition of the Special Branch of the Victoria Police Force; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 7 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Extractive Industries Act 1966’ and the ‘Town and Country Planning Act 1961’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until later this day.

- 9 DOG (AMENDMENT) BILL—On the motion of the Honorable D. G. Crozier, leave was given to bring in a Bill to amend the *Dog Act 1970* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 10 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey, for the Honorable A. J. Hunt, moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable I. B. Trayling, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 11 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2)—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable H. A. Thomas moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday next.

- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

- 13 INSTRUMENTS (POWERS OF ATTORNEY) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the Whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 14 ADJOURNMENT—The Honorable Haddon Storey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.



The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at twenty-two minutes past Ten o'clock, adjourned until Tuesday next.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at a Quarter to Five o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 DOG (AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading.
- \*2 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading.
- 3 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 4 LOCAL GOVERNMENT (VALIDATION) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 5 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—To be further considered in Committee.
- 6 FORESTS (AMENDMENT) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 7 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. I. B. Trayling*).
- 8 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*Hon. A. J. Hunt*)—To be further considered in Committee.
- 9 AGRICULTURAL CHEMICALS BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 10 PROTECTION OF ANIMALS (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 11 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- 12 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- ø13 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.

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*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

*ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.*

- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate. (Hon. H. R. Ward).*
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. W. R. Baxter).*
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate. (Hon. D. E. Kent).*
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. D. G. Crozier).*
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. A. J. Hunt).*
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. K. I. Wright).*
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL’S REPORT, 1978-79—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).

- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977–78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978–79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—To be considered.
- \*57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- \*58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- \*59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).

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### WEDNESDAY, 2 APRIL

#### GOVERNMENT BUSINESS

##### Order of the Day

- 1 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2)—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. H. A. Thomas*).

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### TUESDAY, 8 APRIL

#### GOVERNMENT BUSINESS

##### Orders of the Day

- 1 IMPERIAL ACTS APPLICATION BILL (No. 2)—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).

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2 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at Two o'clock*

# LEGISLATIVE COUNCIL

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*4 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to investigate and report upon the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.

*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

*§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.*



- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(*Hon. R. J. Long*).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.

- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR’S REPORT, 1977–78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS’ VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).

- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978-79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—To be considered.
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- \*60 DANDENONG VALLEY AUTHORITY REPORT, 1978-79—To be considered.
- \*61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1976-77—To be considered.
- \*62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978-79—To be considered.

## GOVERNMENT BUSINESS

### Notices of Motion

- \*1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to establish a Body Corporate under the name of the Baker Medical Research Institute and for related purposes.
- \*2 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend the *Sale of Land Act* 1962 to make provision in relation to the holding of Deposit Moneys in Transactions for the Sale of Land and for other purposes.

### Orders of the Day

- 1 INSTRUMENTS (POWERS OF ATTORNEY) BILL—(*Hon. Haddon Storey*)—To be further considered in Committee.
- 2 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 3 LOCAL GOVERNMENT (VALIDATION) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 4 FORESTS (AMENDMENT) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. D. E. Kent*).
- 5 AGRICULTURAL CHEMICALS BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 6 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. I. B. Trayling*).
- 7 PROTECTION OF ANIMALS (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 8 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2)—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. H. A. Thomas*).
- 9 DOG (AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 10 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- \*11 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading.

- \*12 PORT PHILLIP AUTHORITY (AMENDMENT) BILL—(Hon. W. V. Houghton)—  
Second reading.
- 13 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(Hon.  
Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- 14 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second  
reading—*Resumption of debate.* (Hon. W. M. Campbell).
- ø15 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—  
*Resumption of debate.* (Hon. Haddon Storey).

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## TUESDAY, 8 APRIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 IMPERIAL ACTS APPLICATION BILL (No. 2)—(Hon. Haddon Storey)—Second  
reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 2 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—(Hon. Haddon Storey)—Second  
reading—*Resumption of debate.* (Hon. W. A. Landeryou).

A. R. B. McDONNELL

*Clerk of the Legislative Council*

FRED S. GRIMWADE

*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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## LEGISLATIVE COUNCIL OF VICTORIA

## MINUTES OF THE PROCEEDINGS

## No. 51—Tuesday, 1 April 1980

- 1 The President took the Chair and read the Prayer.
- 2 WANT OF CONFIDENCE IN MINISTER—The Honorable E. H. Walker moved, by leave, That the Honorable the Minister for Conservation, Minister of Lands and Minister for Soldier Settlement no longer possesses the confidence of this House.

Debate ensued.

Question—put.

The Council divided.

AYES, 13

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White (*Teller*)

NOES, 29

The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson (*Teller*)  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

And so it passed in the negative.

- 3 PORT PHILLIP AUTHORITY (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable A. J. Hunt, for the Honorable W. V. Houghton, leave was given to bring in a Bill to amend the *Port Phillip Authority Act 1966* to alter the membership of the Port Phillip Authority, to amend the *Town and*

*Country Planning Act 1961* and the *Ministry for Conservation Act 1972* and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Dandenong Valley Authority—Report and statement of accounts for the year ended 30 September 1979.

Friendly Societies and Benefit Associations—Report of the Government Statist for the year 1976–77.

National Parks—Report of the Advisory Council for the year 1978–79.

Town and Country Planning Act 1961—

Croydon—City of Croydon Planning Scheme—Amendment No. 93.

Phillip Island Planning Scheme—Amendment No. 9.

The Honorable W. A. Landeryou moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Archaeological and Aboriginal Relics Preservation Act 1972’, the ‘Ministry for Conservation Act 1972’, and the ‘National Museum of Victoria Council Act 1970’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 6 DOG (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable E. H. Walker, for the Honorable W. A. Landeryou, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 7 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 8 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 7 inclusive, be postponed until later this day.

- 9 POST-SECONDARY EDUCATION (AMENDMENT) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

And having continued to sit until after Twelve midnight—

WEDNESDAY, 2 APRIL

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, and had amended the title thereof, which amended title is as follows:—“*An Act to*

amend the 'Post-Secondary Education Act 1978', to repeal the 'Victoria Institute of Colleges Act 1965' and the 'State College of Victoria Act 1972' and for other purposes", the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 10 ADJOURNMENT—ALTERATION OF HOUR OF MEETING—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until this day at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at six minutes past One o'clock in the morning, adjourned until this day at a quarter to Two o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 52—Wednesday, 2 April 1980

- 1 The President took the Chair and read the Prayer.
- 2 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts of Parliament:

Abattoir and Meat Inspection Act 1973—No. 47/1980.

Audit Act 1958—No. 46/1980.

Building Industry Long Service Leave Act 1975—No. 48/1980.

Country Fire Authority Act 1958—No. 422/1979.

Health Act 1958—Nos. 38 and 41/1980.

Legal Profession Practice Act 1958—No. 50/1980.

Lifts and Cranes Act 1967—No. 452/1979.

Liquefied Gases Act 1968—No. 416/1979.

Liquefied Petroleum Gas Act 1958—No. 434/1979.

Melbourne and Metropolitan Board of Works Act 1958—No. 40/1980.

Metropolitan Fire Brigades Superannuation Act 1976—No. 417/1979.

Motor Boating Act 1961—No. 405/1979; No. 52/1980.

National Parks Act 1975—No. 49/1980.

Poisons Act 1962—No. 42/1980.

Police Regulation Act 1958—No. 389/1979.

Public Service Act 1974—Nos. 39, 44 and 45/1980.

Road Traffic Act 1958—No. 51/1980.

Second-hand Dealers Act 1958—No. 53/1980.

Sunday Entertainment Act 1967—No. 387/1979.

Supreme Court Act 1958—Nos. 54 and 55/1980.

Weights and Measures Act 1958—No. 43/1980.

Workers Compensation Act 1958—No. 17/1980.

Victorian Government Travel Authority—Accounts for the year 1978–79.

Youth Parole Board—Report for the year 1978–79.



The Honorable E. H. Walker moved, That the Report and Accounts tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

3 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.

4 SMALL BUSINESS TENANCY AGREEMENTS—The Honorable W. A. Landeryou moved, That there be a Select Committee of eight Members appointed to investigate and report upon the need to extend the provisions of the *Landlord and Tenant Act* 1958 to cover small business enterprises currently unprotected from the demands of rapacious landlords, and other cognate matters; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

The Honorable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Wednesday, 16 April.

5 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, General Business, the Notices of Motion, Government Business, and Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

6 FORESTS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

7 BAKER MEDICAL RESEARCH INSTITUTE BILL—On the motion of the Honorable Haddon Storey, leave was given to bring in a Bill to establish a Body Corporate under the name of the Baker Medical Research Institute and for related purposes, and the said Bill was ordered to be read a first time later this day.

8 SALE OF LAND (DEPOSITS) BILL—On the motion of the Honorable Haddon Storey, leave was given to bring in a Bill to amend the *Sale of Land Act* 1962 to make provision in relation to the holding of Deposit Moneys in Transactions for the Sale of Land and for other purposes, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

9 INSTRUMENTS (POWERS OF ATTORNEY) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Deputy-President left the Chair.

House in Committee.

The Deputy-President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 10 LOCAL GOVERNMENT (VALIDATION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 BAKER MEDICAL RESEARCH INSTITUTE BILL—The Order of the Day for the first reading of this Bill having been read—

The President ruled the Bill to be a Private Bill.

The Honorable Haddon Storey moved, That this Bill be dealt with as a Public Bill.

Debate ensued.

Motion, by leave, withdrawn.

Ordered—That the Bill be read a first time on the next day of meeting.

- 12 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 10 inclusive, be postponed until later this day.

- 13 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey, for the Honorable W. V. Houghton, moved, That this Bill be now read a second time.

The Honorable E. H. Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 14 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 15 REVOCATION AND EXCISION OF CROWN RESERVATIONS BILL (No. 2)—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

16 ADJOURNMENT—The Honorable A. J. Hunt moved, by leave, That the Council, at its rising, adjourn until Tuesday, 15 April.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at nineteen minutes past Six o'clock, adjourned until Tuesday, 15 April.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr Deputy President takes the Chair at a Quarter to Five o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 BAKER MEDICAL RESEARCH INSTITUTE BILL—(*Hon. Haddon Storey*)—First reading.
- \*2 SALE OF LAND (DEPOSITS) BILL—(*Hon. Haddon Storey*)—Second reading.
- 3 PORT PHILLIP AUTHORITY (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading.
- 4 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—(*Hon. D. G. Crozier*)—To be further considered in Committee.
- 5 PROTECTION OF ANIMALS (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 6 DOG (AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 7 IMPERIAL ACTS APPLICATION BILL (No. 2)—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 8 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 9 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- 10 AGRICULTURAL CHEMICALS BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 11 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate.* (*Hon. I. B. Trayling*).
- 12 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 13 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- 14 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- ø15 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—*(Hon. E. H. Walker)*—*Resumption of debate. (Hon. K. I. Wright).*
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum *(Hon. D. M. Evans)*—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—*(Hon. R. J. Long).*
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—MOTION—That the Council take note of the Accounts *(Hon. R. A. Mackenzie)*—*Resumption of debate. (Hon. D. R. White).*
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS NOS. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—*(Hon. W. A. Landeryou)*—*Resumption of debate. (Hon. Haddon Storey).*
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—*(Hon. K. I. Wright)*—*Resumption of debate. (Hon. R. J. Eddy).*
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria *(Hon. Clive Bubb)*—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary

- and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
  - 43 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
  - 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. H. R. Ward*).
  - 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR’S REPORT, 1977–78—To be considered.
  - 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
  - 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS’ VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
  - 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
  - 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
  - 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
  - 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
  - 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
  - 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
  - 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978–79—To be considered.
  - 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
  - 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—To be considered.
  - 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
  - 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
  - 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
  - 60 DANDENONG VALLEY AUTHORITY REPORT, 1978–79—To be considered.
  - 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST’S REPORT, 1976–77—To be considered.
  - 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978–79—To be considered.
  - \*63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978–79—To be considered.
  - \*64 YOUTH PAROLE BOARD REPORT, 1978–79—To be considered.

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**WEDNESDAY, 16 APRIL****GENERAL BUSINESS****Order of the Day**

- \*1 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*



## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr Deputy President takes the Chair Two o'clock*

## LEGISLATIVE COUNCIL

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*4 The Hon. D. R. WHITE—To move, That a Select Committee of eight Members be appointed to determine and report upon the extent of the debt and the form of reimbursement by the State Government to the Melbourne and Metropolitan Board of Works in respect of works carried out by the Board at:
  - 1 Thomson Dam;
  - 2 Cardinia Reservoir; and
  - 3 Yarra Brae
 which do not directly benefit Board ratepayers; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*5 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the feasibility and/or desirability of issuing licences or permits for a casino or casinos to operate in Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum.

#### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).

*\* Notifications to which an asterisk (\*) is prefixed appear for the first time.*

- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(Hon. Dr. K. J. Foley)—*Resumption of debate.* (Hon. H. R. Ward).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. D. G. Crozier).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J. Hunt).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. K. I. Wright).
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (Hon. D. M. Evans)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(Hon. R. J. Long).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
- 32 NATIONAL PARKS (AMENDMENT NO. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT NO. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT NO. 4—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS NOS. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words "failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest" be omitted with the view of inserting in place thereof "actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes"—(*Hon. D. K. Hayward*).
- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.

- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978–79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—To be considered.
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 60 DANDENONG VALLEY AUTHORITY REPORT, 1978–79—To be considered.
- 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1976–77—To be considered.
- 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978–79—To be considered.
- 63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978–79—To be considered.
- 64 YOUTH PAROLE BOARD REPORT, 1978–79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- \*66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY REPORTS, 1978–79—To be considered.
- \*67 LIQUOR CONTROL COMMISSION REPORT, 1978–79—To be considered.
- \*68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- \*69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- \*70 SCIENCE MUSEUM COUNCIL REPORT, 1978–78—To be considered.
- \*71 TROTTER CONTROL BOARD REPORT, 1978–79—To be considered.
- \*72 VICTORIA LAW FOUNDATION REPORT, 1978–79—To be considered.

## GOVERNMENT BUSINESS

### Notice of Motion

- \*1 The Hon. HADDON STOREY—To move, That he have leave to bring in a Bill to amend sections 5, 11, 26 and 49 of the *Friendly Societies Act 1958*.

### Orders of the Day

- \*1 NAVIGABLE WATERS (OIL POLLUTION) (AMENDMENT) BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading.
- 2 PROTECTION OF ANIMALS (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 3 DOG (AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).

- 4 IMPERIAL ACTS APPLICATION BILL (No. 2)—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 5 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 6 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- 7 AGRICULTURAL CHEMICALS BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- 8 SALE OF LAND (DEPOSITS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).
- 9 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. I. B. Trayling).
- 10 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 11 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- 12 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. N. F. Stacey).
- ø13 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).

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## TUESDAY, 22 APRIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 BAKER MEDICAL RESEARCH INSTITUTE BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. B. P. Dunn).
- 2 PORT PHILLIP AUTHORITY (AMENDMENT) BILL—(Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).

R. K. EVANS

*Acting Clerk of the Legislative Council*

W. M. CAMPBELL

*Deputy President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

\* \* \*

# MINUTES OF THE PROCEEDINGS

## No. 53—Tuesday, 15 April 1980

- 1 The Deputy President took the Chair and read the Prayer.
- 2 ABSENCE OF THE CLERK—The absence of the Clerk owing to duties associated with the Eleventh Conference of Presiding Officers and Clerks having been announced to the House—

The Honorable A. J. Hunt moved, That the Clerk-Assistant perform the duties of the Clerk of the Council during his absence, and take the Chair at the Table.

Question—put and resolved in the affirmative.

- 3 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honorable W. A. Landeryou moved, That the Council do now adjourn, and said he proposed to speak to the subject of “the failure of the Government to protect the Victorian public against excessive charges for petroleum products”; and six other Honorable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 12

The Hon. Joan Coxsedge  
 R. J. Eddy (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White

NOES, 27

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford (*Teller*)  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright (*Teller*)

And so it passed in the negative.



- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:

Equal Opportunity—Reports of the Equal Opportunity Board and the Commissioner for Equal Opportunity for the year 1978–79 (two papers).

Liquor Control Commission—Report and statement of accounts for the year 1978–79.

Physiotherapists Registration Board—Report for the year 1978.

Railways Board—Report for the quarter ended 31 December 1979.

Science Museum—Report of the Council for the year 1978–79.

Statutory Rules under the Prerogative Powers of the Crown—Commissions and Boards of Inquiry—No. 76.

Statutory Rules under the following Acts of Parliament:

Architects Act 1958—No. 67.

Benefit Associations Act 1958—No. 71.

Business Franchise (Petroleum Products) Act 1979—No. 68.

Country Fire Authority Act 1958—No. 63.

Films Act 1971—No. 72.

Forests Act 1958—No. 62.

Liquefied Petroleum Gas Act 1958—No. 7 (*in lieu of Statutory Rule No. 7 tabled on 11 March 1980*).

Motor Boating Act 1961—No. 56.

Motor Car Act 1958—Nos. 57 and 59.

Mt Hotham Alpine Resort Act 1972—No. 70.

Police Offences Act 1958—No. 74.

Public Service Act 1974—Nos. 60 and 61; PSD Nos. 17 to 27.

Road Traffic Act 1958—No. 69.

Superannuation Act 1958—No. 64.

Theatres Act 1958—No. 75.

Valuation of Land Act 1960—No. 65.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendment No. 126, with map (two papers).

Trotting Control Board—Report and accounts for the year ended 31 July 1979.

Victoria Law Foundation—Report for the year ended 30 September 1979.

The Honorable E. H. Walker moved, That the Reports tabled by the Acting Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 BAKER MEDICAL RESEARCH INSTITUTE BILL—The Order of the Day for the first reading of this Bill was read.

The Deputy President having announced that this Bill had previously been ruled to be a Private Bill—

The Honorable Haddon Storey moved, That this Bill be dealt with as a Public Bill. Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

Debate ensued.

The Honorable W. R. Baxter, for the Honorable B. P. Dunn, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 6 SALE OF LAND (DEPOSITS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable R. J. Eddy, for the Honorable C. J. Kennedy, moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until the next day of meeting.
- 7 PORT PHILLIP AUTHORITY (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.  
The Honorable E. H. Walker moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 8 LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the Deputy President left the Chair.  
House in Committee.  
The Deputy President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.  
Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 9 NAVIGABLE WATERS (OIL POLLUTION) (AMENDMENT) BILL—The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Navigable Waters (Oil Pollution) Act 1960’, to enable Public Statutory Bodies to recover the Cost of removing Oil Pollution, and for other purposes*” and desiring the concurrence of the Council therein.  
On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 10 ADJOURNMENT—ALTERATION OF HOUR OF MEETING—The Honorable Haddon Storey moved, by leave, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o’clock.  
Question—put and resolved in the affirmative.  
The Honorable Haddon Storey moved, That the House do now adjourn.  
Debate ensued.  
Question—put and resolved in the affirmative.
- And then the Council, at fifty-one minutes past Eleven o’clock, adjourned until tomorrow at a quarter to Two o’clock.

R. K. EVANS

*Acting Clerk of the Legislative Council*

## No. 54—Wednesday, 16 April 1980

- 1 The Deputy President took the Chair and read the Prayer.
- 2 POSTPONEMENT OF NOTICES OF MOTION—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 4 inclusive, be postponed until later this day.

- 3 CASINOS—The Honorable W. A. Landeryou moved, That there be a Select Committee of eight Members appointed to inquire into and report upon the feasibility and/or desirability of issuing licences or permits for a casino or casinos to operate in Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

The Honorable Haddon Storey moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 4 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until later this day.
- 5 FRIENDLY SOCIETIES (BENEFITS) BILL—On the motion of the Honorable Haddon Storey, leave was given to bring in a Bill to amend sections 5, 11, 26 and 49 of the *Friendly Societies Act* 1958, and the said Bill was read a first time and ordered to be printed and to be read a second time on the next day of meeting.
- 6 NAVIGABLE WATERS (OIL POLLUTION) (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt, for the Honorable D. G. Crozier, moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 7 PROTECTION OF ANIMALS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable R. A. Mackenzie moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn until a Select Committee of both Houses has reported on all aspects of animal welfare including in particular the fact that the Bill:

- 1 fails to protect animals from cruelty in certain circumstances;
- 2 permits the use of jawed leghold traps;
- 3 has no provision for making regulations under the Act or controls over animal experimentation, general transportation of livestock, pet shops, riding schools, aviaries, markets etc.;
- 4 omits ‘right of inspection’ and prevention of obstruction to investigations; and
- 5 omits power to disqualify from ownership or control over animals for first offenders.”

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
D. G. Crozier

NOES, 12

The Hon. Joan Coxsedg  
R. J. Eddy  
C. J. Kennedy (*Teller*)  
D. E. Kent (*Teller*)  
W. A. Landeryou

B. P. Dunn	R. A. Mackenzie
D. M. Evans	G. A. Sgro
Dr K. J. Foley ( <i>Teller</i> )	H. A. Thomas
F. J. Granter	I. B. Trayling
H. M. Hamilton	E. H. Walker
V. T. Hauser	J. M. Walton
D. K. Hayward	D. R. White
W. V. Houghton	
Dr R. W. Howard	
A. J. Hunt	
Glyn Jenkins	
R. I. Knowles	
R. Lawson	
R. J. Long ( <i>Teller</i> )	
J. W. S. Radford	
N. B. Reid	
D. N. Saltmarsh	
N. F. Stacey	
Haddon Storey	
J. A. Taylor	
H. R. Ward	
K. I. Wright	

And so it was resolved in the affirmative—Amendment negated.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 8 MOTOR CAR (PAYMENTS BY PENSIONERS) BILL—The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Motor Car Act 1958' with respect to certain Payments by Pensioners and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time forthwith.

The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable G. A. Sgro moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 9 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 8 inclusive, be postponed until later this day.

- 10 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put

was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

- 11 AGRICULTURAL CHEMICALS BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable R. A. Mackenzie moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide greater control and supervision of the transport, handling and usage of agricultural chemicals in order to protect public health and ensure the safety of all persons working with or associated with the use of agricultural chemicals.”

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 23

The Hon. W. R. Baxter  
 C. Bubb  
 B. A. Chamberlain  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid (*Teller*)  
 D. N. Saltmarsh (*Teller*)  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

NOES, 11

The Hon. Joan Coxside (*Teller*)  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The Deputy President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 CANCER (AMENDMENT) BILL—The Deputy President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Cancer Act 1958’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 13 ADJOURNMENT—The Honorable Haddon Storey moved, by leave, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at four minutes past Eleven o’clock, adjourned until Tuesday next.

R. K. EVANS

*Acting Clerk of the Legislative Council*



*Mr President takes the Chair at a Quarter to Five o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Notice of Motion

- \*1 The Hon. A. J. HUNT—To move, That Sessional Orders be suspended until the end of May next, and that until the end of May next Government business shall take precedence of all other business.

#### Orders of the Day

- \*1 FRIENDLY SOCIETIES (BENEFITS) BILL—(*Hon. Haddon Storey*)—Second reading.
- \*2 CANCER (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading.
- \*3 MOTOR CAR (PAYMENTS BY PENSIONERS) BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. G. A. Sgro*).
- 4 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—(*from Assembly—Hon. F. J. Granter*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 5 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- 6 DOG (AMENDMENT) BILL—(*Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 7 IMPERIAL ACTS APPLICATION BILL (No. 2)—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 8 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 9 CONSTITUTIONAL POWERS (REQUEST) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. W. M. Campbell*).
- 10 SALE OF LAND (DEPOSITS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. C. J. Kennedy*).
- 11 BAKER MEDICAL RESEARCH INSTITUTE BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 12 PORT PHILLIP AUTHORITY (AMENDMENT) BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- 13 NAVIGABLE WATERS (OIL POLLUTION) (AMENDMENT) BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading—*Resumption of debate.* (*Hon. R. A. Mackenzie*).
- 14 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- ø15 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.



## GENERAL BUSINESS

## Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. D. R. WHITE—To move, That a Select Committee of eight Members be appointed to determine and report upon the extent of the debt and the form of reimbursement by the State Government to the Melbourne and Metropolitan Board of Works in respect of works carried out by the Board at:
  - 1 Thomson Dam;
  - 2 Cardinia Reservoir; and
  - 3 Yarra Brae
 which do not directly benefit Board ratepayers; the Committee to have power to send for persons, papers and records; three to be the quorum.

## Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading—*Resumption of debate.* (Hon. D. N. Saltmarsh).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(Hon. Dr. K. J. Foley)—*Resumption of debate.* (Hon. H. R. Ward).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)  
—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading  
—*Resumption of debate.* (*Hon. Haddon Storey*).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978–79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978–79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978–79—MOTION—That the  
Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of  
debate.* (*Hon. D. G. Crozier*).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978–79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT  
COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J.  
Hunt*).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME,  
1979–80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—  
(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978–79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be  
considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on  
the question*—That there be a Select Committee of eight Members appointed  
to continuously assess and recommend works to control erosion, salination,  
water quality and delivery in the River Murray system of Victoria; the  
Committee to have power to send for persons, papers and records; three  
to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon.  
R. A. Mackenzie*—That the words “and to assess and recommend works to  
control salination, particularly dryland salting, in all other parts of Victoria”  
be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED  
PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979  
—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978–79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT,  
1978–79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL’S REPORT, 1978–79—To be  
considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978–79—To be  
considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978–79—MOTION  
—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—  
*Resumption of debate.* (*Hon. D. R. White*).
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No.  
5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT)  
REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—  
To be considered.

- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR’S REPORT, 1977-78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS’ VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978-79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—To be considered.
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).

- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(Hon. K. I. Wright)  
—*Resumption of debate.* (Hon. D. G. Crozier).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT  
COMMITTEE—(Hon. Joan Coxsedg)—*Resumption of debate.* (Hon. W. A.  
Landeryou).
- 60 DANDENONG VALLEY AUTHORITY REPORT, 1978-79—To be considered.
- 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT,  
1976-77—To be considered.
- 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978-79—To be considered.
- 63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978-79—To be  
considered.
- 64 YOUTH PAROLE BOARD REPORT, 1978-79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT  
COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. Haddon  
Storey).
- 66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—  
REPORTS, 1978-79—To be considered.
- 67 LIQUOR CONTROL COMMISSION REPORT, 1978-79—To be considered.
- 68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- 69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 70 SCIENCE MUSEUM COUNCIL REPORT, 1978-79—To be considered.
- 71 TROTTER CONTROL BOARD REPORT, 1978-79—To be considered.
- 72 VICTORIA LAW FOUNDATION REPORT, 1978-79—To be considered.
- \*73 CASINOS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A.  
Landeryou)—*Resumption of debate.* (Hon. Haddon Storey).

R. K. EVANS

*Acting Clerk of the Legislative Council*

W. M. CAMPBELL

*Deputy President*

**CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN**

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

**SELECT COMMITTEES**

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at a Quarter past Two o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Notices of Motion

- \*1 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to make Provision for the Transfer of the Control and Management of certain Homes for elderly Persons in the Shire of Lillydale to the Royal Freemasons Homes of Victoria and for other purposes.
- \*2 The Hon. W. V. HOUGHTON—To move, That he have leave to bring in a Bill to authorize the Granting of Leases of certain Land at East Melbourne in the City of Melbourne permanently reserved as a Site for a Public Park, and for other purposes.

#### Orders of the Day

- \*1 VICTORIAN FILM CORPORATION (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- 2 DOG (AMENDMENT) BILL—(Hon. D. G. Crozier)—To be further considered in Committee.
- 3 SALE OF LAND (DEPOSITS) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. C. J. Kennedy).
- 4 PORT PHILLIP AUTHORITY (AMENDMENT) BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- 5 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- \*6 FORESTS (FURTHER AMENDMENT) BILL—(Hon. F. J. Granter)—Second reading.
- \*7 WORKERS COMPENSATION (GENERAL AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 8 IMPERIAL ACTS APPLICATION BILL (No. 2)—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 9 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 10 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. M. Campbell).
- 11 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).
- ø12 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. Haddon Storey).

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. D. R. WHITE—To move, That a Select Committee of eight Members be appointed to determine and report upon the extent of the debt and the form of reimbursement by the State Government to the Melbourne and Metropolitan Board of Works in respect of works carried out by the Board at:
  - 1 Thomson Dam;
  - 2 Cardinia Reservoir; and
  - 3 Yarra Brae
 which do not directly benefit Board ratepayers; the Committee to have power to send for persons, papers and records; three to be the quorum.
- \*5 The Hon. G. A. SGRO—To move, That a Select Committee of eight Members be appointed to inquire into the immigration programme as it affects Victoria, with particular regard to:
  - (a) employment opportunities;
  - (b) recognition of overseas qualifications for both tradesmen and professional people;
  - (c) why skilled tradesmen are not employed in their craft; and
  - (d) the effect of immigration on the Victorian economy;
 the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.

- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words "and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria" be inserted to follow "Victoria"—(*Hon. R. J. Long*).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.



- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978–79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR’S REPORT, 1977–78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS’ VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.

- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978–79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—To be considered.
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 60 DANDENONG VALLEY AUTHORITY REPORT, 1978–79—To be considered.
- 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1976–77—To be considered.
- 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978–79—To be considered.
- 63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978–79—To be considered.
- 64 YOUTH PAROLE BOARD REPORT, 1978–79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—REPORTS, 1978–79—To be considered.
- 67 LIQUOR CONTROL COMMISSION REPORT, 1978–79—To be considered.
- 68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- 69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 70 SCIENCE MUSEUM COUNCIL REPORT, 1978–79—To be considered.
- 71 TROTTER CONTROL BOARD REPORT, 1978–79—To be considered.
- 72 VICTORIA LAW FOUNDATION REPORT, 1978–79—To be considered.
- 73 CASINOS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- \*74 MINISTERIAL STATEMENT—TEACHER UNREST IN SECONDARY SCHOOLS—To be considered.
- \*75 OMBUDSMAN'S QUARTERLY REPORT, DECEMBER 1979—To be considered.

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## TUESDAY, 29 APRIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 FRIENDLY SOCIETIES (BENEFITS) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. G. A. S. Butler*).
- 2 CANCER (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. Joan Coxsedge*).

- \*3 HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (Hon. J. M. Walton).
- \*4 MAGISTRATES' COURTS (JURISDICTION) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

# MINUTES OF THE PROCEEDINGS

No. 55—Tuesday, 22 April 1980

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments, viz.:  
*Agricultural Chemicals Act.*
- 3 HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make further provision with respect to Special Accommodation Houses, to amend Section 3 and Division 3A of Part XII. of the 'Health Act 1958', and for other purposes*" and desiring the concurrence of the Council therein.  
On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 WORKERS COMPENSATION (GENERAL AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Workers Compensation Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.  
On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 MINISTERIAL STATEMENT—TEACHER UNREST IN SECONDARY SCHOOLS—The Honorable A. J. Hunt made a Ministerial Statement in relation to teacher unrest in secondary schools and moved, by leave, That there be laid before this House a copy of the Agreement for Industrial Peace in the Secondary Division.  
Question—put and resolved in the affirmative.  
The said Agreement was thereupon presented by the Honorable A. J. Hunt and ordered to lie on the Table.  
The Honorable E. H. Walker moved, That the Ministerial Statement be taken into consideration later this day.  
Question—put and resolved in the affirmative.
- 6 MAGISTRATES' COURTS (JURISDICTION) BILL—On the motion (by leave without notice) of the Honorable Haddon Storey, leave was given to bring in a Bill to amend Part VIII. of the *Magistrates' Courts Act 1970* and Section 11 of the *Magistrates' Courts (Civil Jurisdiction) Act 1979*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 FORESTS (FURTHER AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable F. J. Granter, leave was given to bring in a Bill to further amend the *Forests Act 1958*, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:  
 Ombudsman—Report for the quarter ended 31 December 1979.  
 Teaching Service Act 1958—Teaching Service (Teachers Tribunal) Regulations—Amendments Nos. 509 and 510.
- The Honorable E. H. Walker moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.  
 Question—put and resolved in the affirmative.
- 9 SESSIONAL ORDERS—The Honorable A. J. Hunt moved, That Sessional Orders be suspended until the end of May next, and that until the end of May next Government business shall take precedence of all other business.  
 Question—put and resolved in the affirmative.
- 10 FRIENDLY SOCIETIES (BENEFITS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
 The Honorable G. A. S. Butler moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until Tuesday next.
- 11 CANCER (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.  
 The Honorable R. J. Eddy, for the Honorable Joan Coxsedg, moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until Tuesday next.
- 12 WORKERS COMPENSATION (GENERAL AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
 The Honorable W. A. Landeryou moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until later this day.
- 13 HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.  
 The Honorable J. M. Walton moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until Tuesday next.
- 14 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.
- 15 DOG (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 16 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 to 10 inclusive, be postponed until later this day.

- 17 BAKER MEDICAL RESEARCH INSTITUTE BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 18 MOTOR CAR (PAYMENTS BY PENSIONERS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 CENTRAL GIPPSLAND (BROWN COAL LAND COMPENSATION) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

- 20 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with an amendment and desiring their concurrence therein.

- 21 VICTORIAN FILM CORPORATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian Film Corporation Act 1976'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 22 MAGISTRATES' COURTS (JURISDICTION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.  
The Honorable R. J. Eddy moved, That the debate be now adjourned.  
Question—That the debate be now adjourned—put and resolved in the affirmative.  
Ordered—That the debate be adjourned until Tuesday next.
- 23 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 12, be postponed until later this day.
- 24 NAVIGABLE WATERS (OIL POLLUTION) (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.  
House in Committee.  
The President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.  
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 25 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Two o'clock.  
Question—put and resolved in the affirmative.  
The Honorable A. J. Hunt moved, That the House do now adjourn.  
Debate ensued.  
Question—put and resolved in the affirmative.

And then the Council, at eighteen minutes past Ten o'clock, adjourned until tomorrow at Two o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 56—Wednesday, 23 April 1980

- 1 The President took the Chair and read the Prayer.
- 2 MELBOURNE UNDERGROUND RAIL LOOP (LAND DEVELOPMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to enable the Melbourne Underground Rail Loop Authority to develop certain lands, to make further Provision with respect to the powers of the Authority to borrow moneys, to amend the 'Melbourne Underground Rail Loop Act 1970' and for other purposes*" and desiring the concurrence of the Council therein.  
On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—On the motion (by leave without notice) of the Honorable D. G. Crozier, leave was given to bring in a Bill to amend the *Local Authorities Superannuation Act 1958* and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Post-Secondary Education Commission—Report for the period ended 30 June 1979.

The Honorable E. H. Walker moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL—On the motion of the Honorable W. V. Houghton, leave was given to bring in a Bill to make Provision for the Transfer of the Control and Management of certain Homes for elderly Persons in the Shire of Lillydale to the Royal Freemasons Homes of Victoria and for other purposes.

The President ruled the Bill to be a Private Bill.

The Honorable W. V. Houghton moved, That this Bill be dealt with as a Public Bill.

Debate ensued.

Motion, by leave, withdrawn.

Ordered—That the Bill be read a first time on the next day of meeting.

- 6 MELBOURNE (YARRA PARK) LAND BILL—On the motion of the Honorable W. V. Houghton, leave was given to bring in a Bill to authorize the Granting of Leases of certain Land at East Melbourne in the City of Melbourne permanently reserved as a Site for a Public Park, and for other purposes.

The President ruled the Bill to be a Private Bill.

Ordered—That the Bill be read a first time on the next day of meeting.

- 7 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of the Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.

- 8 MMBW WATER STORAGE WORKS—REIMBURSEMENT OF COSTS—The Honorable D. R. White moved, That a Select Committee of eight Members be appointed to determine and report upon the extent of the debt and the form of reimbursement by the State Government to the Melbourne and Metropolitan Board of Works in respect of works carried out by the Board at:

- 1 Thomson Dam;
- 2 Cardinia Reservoir; and
- 3 Yarra Brae

which do not directly benefit Board ratepayers; the Committee to have power to send for persons, papers and records; three to be the quorum.

Debate ensued.

Question—put.

The Council divided.

AYES, 13

The Hon. G. A. S. Butler  
Joan Coxsedge  
R. J. Eddy  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou

NOES, 29

The Hon. W. R. Baxter  
H. G. Baylor (*Teller*)  
P. D. Block (*Teller*)  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain



R. A. Mackenzie	D. G. Crozier
G. A. Sgro	B. P. Dunn
H. A. Thomas	D. M. Evans
I. B. Trayling ( <i>Teller</i> )	Dr K. J. Foley
E. H. Walker	F. J. Granter
J. M. Walton ( <i>Teller</i> )	J. V. C. Guest
D. R. White	H. M. Hamilton
	V. T. Hauser
	D. K. Hayward
	W. V. Houghton
	Dr R. W. Howard
	A. J. Hunt
	Glyn Jenkins
	R. I. Knowles
	R. Lawson
	J. W. S. Radford
	N. B. Reid
	D. N. Saltmarsh
	N. F. Stacey
	Haddon Storey
	J. A. Taylor
	H. R. Ward
	K. I. Wright

And so it passed in the negative.

- 9 IMMIGRATION PROGRAMME—The Honorable G. A. Sgro moved, That a Select Committee of eight Members be appointed to inquire into the immigration programme as it affects Victoria, with particular regard to:
- employment opportunities;
  - recognition of overseas qualifications for both tradesmen and professional people;
  - why skilled tradesmen are not employed in their craft; and
  - the effect of immigration on the Victorian economy;
- the Committee to have power to send for persons, papers and records; three to be the quorum.

The Honorable H. R. Ward, for the Honorable D. G. Crozier, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 10 DOG (AMENDMENT) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 11 WORKERS COMPENSATION (GENERAL AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time having been read—

Debate resumed.

*Strangers in the House*—The attention of the President having been drawn to the presence of strangers—

Question—That strangers be ordered to withdraw—put and resolved in the affirmative.

[*Strangers were excluded*]

The Honorable W. A. Landeryou moved, by leave, That strangers be now re-admitted.

Debate ensued.

Question—put and resolved in the affirmative.

[*Strangers were re-admitted*]

Debate on main question continued.

Question—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

- 13 MELBOURNE UNDERGROUND RAIL LOOP (LAND DEVELOPMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable E. H. Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 14 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable G. A. Sgro moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 15 PORT PHILLIP AUTHORITY (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable E. H. Walker moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof the words “the Bill be withdrawn and re-drafted to increase the representative character of the Authority”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.  
The Council divided.

Ayes, 27

The Hon. H. G. Baylor  
P. D. Block  
C. Bubb  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey (*Teller*)  
Haddon Storey  
J. A. Taylor (*Teller*)  
H. R. Ward

Noes, 13

The Hon. G. A. S. Butler (*Teller*)  
Joan Coxsedge  
R. J. Eddy  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report.

The Honorable W. V. Houghton moved, that the Bill be now read a third time.  
Debate ensued.

Question—put.

The Council divided.

Ayes, 27

The Hon. H. G. Baylor  
P. D. Block  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans

Noes, 13

The Hon. G. A. S. Butler  
Joan Coxsedge (*Teller*)  
R. J. Eddy (*Teller*)  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro

F. J. Granter	H. A. Thomas
J. V. C. Guest	I. B. Trayling
H. M. Hamilton	E. H. Walker
V. T. Hauser	J. M. Walton
D. K. Hayward	D. R. White
W. V. Houghton	
Dr R. W. Howard	
A. J. Hunt	
Glyn Jenkins	
R. I. Knowles	
R. Lawson	
R. J. Long	
J. W. S. Radford	
N. B. Reid	
D. N. Saltmarsh	
N. F. Stacey ( <i>Teller</i> )	
Haddon Storey	
J. A. Taylor	
H. R. Ward ( <i>Teller</i> )	

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 16 FORESTS (FURTHER AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable D. E. Kent moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 17 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at Four o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty minutes past Ten o'clock, adjourned until Tuesday next at Four o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council



*Mr President takes the Chair at a Quarter past Four o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Notices of Motion

- \*1 The Hon. W. V. HOUGHTON—To move, That the Monbulk and Districts Elderly People's Homes Bill be treated as a Public Bill.
- \*2 The Hon. W. V. HOUGHTON—To move, That the Melbourne (Yarra Park) Land Bill be treated as a Public Bill.

#### Orders of the Day

- \*1 MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL—(Hon. W. V. Houghton)—First reading.
- \*2 MELBOURNE (YARRA PARK) LAND BILL—(Hon. W. V. Houghton)—First reading.
- 3 VICTORIAN FILM CORPORATION (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- 4 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—To be further considered in Committee.
- 5 IMPERIAL ACTS APPLICATION BILL (No. 2)—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 6 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 7 CONSTITUTIONAL POWERS (REQUEST) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. M. Campbell).
- 8 SALE OF LAND (DEPOSITS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. C. J. Kennedy).
- 9 FORESTS (FURTHER AMENDMENT) BILL—(Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. D. E. Kent).
- 10 FRIENDLY SOCIETIES (BENEFITS) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. G. A. S. Butler).
- 11 MAGISTRATES' COURTS (JURISDICTION) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- \*12 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—(Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- 13 HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. J. M. Walton).
- 14 CANCER (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- \*15 MELBOURNE UNDERGROUND RAIL LOOP (LAND DEVELOPMENT) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

- 16 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).
- ø17 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—  
*Resumption of debate.* (*Hon. Haddon Storey*).

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—  
*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)  
—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—  
Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second  
reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—  
*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the  
Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of  
debate.* (*Hon. H. R. Ward*).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council  
take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.*  
(*Hon. W. R. Baxter*).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE  
AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the  
Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)  
—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading  
—*Resumption of debate.* (*Hon. Haddon Storey*).

ø Proposals in Bill referred to Statute Law Revision Committee 17 October 1979.

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. D. G. Crozier)*.
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. A. J. Hunt)*.
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. K. I. Wright)*.
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978-79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate. (Hon. D. R. White)*.
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.



- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR’S REPORT, 1977–78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS’ VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978–79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—To be considered.
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).

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- 60 DANDENONG VALLEY AUTHORITY REPORT, 1978-79—To be considered.
- 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1976-77—To be considered.
- 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978-79—To be considered.
- 63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978-79—To be considered.
- 64 YOUTH PAROLE BOARD REPORT, 1978-79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. Haddon Storey).
- 66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—REPORTS, 1978-79—To be considered.
- 67 LIQUOR CONTROL COMMISSION REPORT, 1978-79—To be considered.
- 68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- 69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 70 SCIENCE MUSEUM COUNCIL REPORT, 1978-79—To be considered.
- 71 TROTTER CONTROL BOARD REPORT, 1978-79—To be considered.
- 72 VICTORIA LAW FOUNDATION REPORT, 1978-79—To be considered.
- 73 CASINOS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. Haddon Storey).
- 74 MINISTERIAL STATEMENT—TEACHER UNREST IN SECONDARY SCHOOLS—To be considered.
- 75 OMBUDSMAN'S QUARTERLY REPORT, DECEMBER 1979—To be considered.
- \*76 POST-SECONDARY EDUCATION COMMISSION REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- \*77 IMMIGRATION PROGRAMME—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. G. A. Sgro)—*Resumption of debate.* (Hon. D. G. Crozier).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Cocksedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at Two o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 ESTATE AGENTS BILL—(*from Assembly—Hon. Haddon Storey*)—Second reading.
- 2 FORESTS (FURTHER AMENDMENT) BILL—(*Hon. F. J. Granter*)—Second reading—*Resumption of debate. (Hon. D. E. Kent).*
- 3 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 4 MELBOURNE (YARRA PARK) LAND BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. D. M. Evans).*
- 5 VICTORIAN FILM CORPORATION (AMENDMENT) BILL—(*from Assembly—Hon. A. J. Hunt*)—Second reading—*Resumption of debate. (Hon. E. H. Walker).*
- 6 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—To be further considered in Committee.
- 7 HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. J. M. Walton).*
- 8 CANCER (AMENDMENT) BILL—(*from Assembly—Hon. W. V. Houghton*)—Second reading—*Resumption of debate. (Hon. Joan Coxsedge).*
- 9 MELBOURNE UNDERGROUND RAIL LOOP (LAND DEVELOPMENT) BILL—(*from Assembly—Hon. D. G. Crozier*)—Second reading—*Resumption of debate. (Hon. E. H. Walker).*
- \*10 SUPPLY (1980–81, No. 1) BILL—(*from Assembly—Hon. Haddon Storey*)—To be further considered in Committee.
- 11 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. N. F. Stacey).*

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

## Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate. (Hon. H. R. Ward).*
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
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- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. W. R. Baxter).*
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate. (Hon. D. E. Kent).*
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
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- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. D. G. Crozier).*
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- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. A. J. Hunt).*
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. K. I. Wright).*
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- to be the quorum (*Hon. D. M. Evans*)—and on the amendment of the *Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
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  - 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
  - 27 RIVER MURRAY COMMISSION REPORT, 1978–79—To be considered.
  - 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978–79—To be considered.
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  - 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978–79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
  - 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
  - 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
  - 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
  - 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
  - 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
  - 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS NOS. 19, 22 AND 25—To be considered.
  - 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
  - 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
  - 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
  - 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—and on the amendment of the *Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
  - 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
  - 43 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
  - 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).

- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
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- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—To be considered.
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 60 DANDENONG VALLEY AUTHORITY REPORT, 1978-79—To be considered.
- 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1976-77—To be considered.
- 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978-79—To be considered.
- 63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978-79—To be considered.
- 64 YOUTH PAROLE BOARD REPORT, 1978-79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—REPORTS, 1978-79—To be considered.
- 67 LIQUOR CONTROL COMMISSION REPORT, 1978-79—To be considered.
- 68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- 69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 70 SCIENCE MUSEUM COUNCIL REPORT, 1978-79—To be considered.
- 71 TROTTERING CONTROL BOARD REPORT, 1978-79—To be considered.
- 72 VICTORIA LAW FOUNDATION REPORT, 1978-79—To be considered.

- 73 CASINOS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. Haddon Storey).
- 74 MINISTERIAL STATEMENT—TEACHER UNREST IN SECONDARY SCHOOLS—To be considered.
- 75 OMBUDSMAN'S QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 76 POST-SECONDARY EDUCATION COMMISSION REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 77 IMMIGRATION PROGRAMME—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. G. A. Sgro)—*Resumption of debate.* (Hon. D. G. Crozier).

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**TUESDAY, 6 MAY****GOVERNMENT BUSINESS****Order of the Day**

- 1 MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL—(Hon. W. V. Houghton)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).

A. R. B. McDONNELL

*Clerk of the Legislative Council*

FRED S. GRIMWADE

*President*



## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at a Quarter past Eleven o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 ESTATE AGENTS BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- 2 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—To be further considered in Committee.
- 3 MELBOURNE UNDERGROUND RAIL LOOP (LAND DEVELOPMENT) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- \*4 WODONGA AREA LAND ACQUISITION (VALIDATION) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. D. R. White).
- \*5 CHIROPODISTS (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- \*6 YOUTH, SPORT AND RECREATION (GUARANTEES) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- \*7 CROWN LAND (MINERAL SPRINGS) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. D. R. White).
- \*8 GROUNDWATER (MINERAL WATER) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. D. R. White).
- \*9 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 10 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.

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\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

## Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate.* (*Hon. K. I. Wright*).
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- to be the quorum (*Hon. D. M. Evans*)—and on the amendment of the *Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
  - 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
  - 27 RIVER MURRAY COMMISSION REPORT, 1978–79—To be considered.
  - 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978–79—To be considered.
  - 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL’S REPORT, 1978–79—To be considered.
  - 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978–79—To be considered.
  - 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978–79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
  - 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
  - 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
  - 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
  - 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
  - 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
  - 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
  - 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
  - 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
  - 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
  - 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—and on the amendment of the *Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
  - 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
  - 43 COMMERCIAL FISHERIES SECTION REPORT, 1977–78—To be considered.
  - 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. H. R. Ward*).

- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978-79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—MOTION—That the Council take note of the Ministerial Statement (*Hon. D. R. White*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 60 DANDENONG VALLEY AUTHORITY REPORT, 1978-79—To be considered.
- 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1976-77—To be considered.
- 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978-79—To be considered.
- 63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978-79—To be considered.
- 64 YOUTH PAROLE BOARD REPORT, 1978-79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—REPORTS, 1978-79—To be considered.
- 67 LIQUOR CONTROL COMMISSION REPORT, 1978-79—To be considered.
- 68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- 69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 70 SCIENCE MUSEUM COUNCIL REPORT, 1978-79—To be considered.
- 71 TROTTER CONTROL BOARD REPORT, 1978-79—To be considered.

- 72 VICTORIA LAW FOUNDATION REPORT, 1978-79—To be considered.
- 73 CASINOS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 74 MINISTERIAL STATEMENT—TEACHER UNREST IN SECONDARY SCHOOLS—To be considered.
- 75 OMBUDSMAN'S QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 76 POST-SECONDARY EDUCATION COMMISSION REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 77 IMMIGRATION PROGRAMME—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- \*78 PUBLIC SERVICE BOARD REPORT, 1978-79—To be considered.

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## TUESDAY, 6 MAY

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
- 2 STATUTE LAW REVISION BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. J. M. Walton*).

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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## LEGISLATIVE COUNCIL OF VICTORIA

## MINUTES OF THE PROCEEDINGS

No. 57—Tuesday, 29 April 1980

- 1 The President took the Chair and read the Prayer.
- 2 ESTATE AGENTS BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to re-enact with Amendments the Law relating to Estate Agents and Sub-agents*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 3 SUPPLY (1980–81, No. 1) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make Interim Provision for the Appropriation of Moneys out of the Consolidated Fund for the Service of the Financial Year 1980–81*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 PAPERS—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Education Act 1958—Resumption of land at Wangaratta—Certificates of the Minister of Education (two papers).

Statutory Rules under the following Acts of Parliament:

Architects Act 1958—No. 66.

Boilers and Pressure Vessels Act 1970—Nos. 96 and 97.

Companies Act 1961—No. 125.

Consumer Affairs Act 1972—No. 111.

Co-operation Act 1958—No. 93.

Co-operative Housing Societies Act 1958—No. 104.

Country Fire Authority Act 1958—No. 108.

Dentists Act 1972—No. 118.

Discharged Servicemen's Preference Act 1943—No. 133.

Dried Fruits Act 1958—No. 107.

Environment Protection Act 1970—Nos. 109 and 126.

Estate Agents Act 1958—No. 128.

Farm Produce Merchants and Commission Agents Act 1965—No. 88.

Health Act 1958—Nos. 119 and 123.

Home Finance Act 1962—No. 94.

Housing Act 1958—No. 114.

Industrial Training Act 1975—Nos. 78, 79, 83 and 113.

Labour and Industry Act 1958—No. 95.

Law Reform Act 1973—No. 132.

Local Government Act 1958—No. 77.

Lotteries Gaming and Betting Act 1966—No. 73.

Metropolitan Fire Brigades Superannuation Act 1976—No. 105.

Milk and Dairy Supervision Act 1958—Nos. 81 and 106.



Milk Pasteurization Act 1958—No. 89.  
 Ministry for the Arts Act 1972—No. 134.  
 Motor Car Act 1958—No. 87.  
 Motor Car Traders Act 1973—No. 91.  
 National Parks Act 1975—No. 110.  
 Poisons Act 1962—No. 121.  
 Police Regulation Act 1958—No. 117.  
 Post-Secondary Education Act 1978—No. 92.  
 Public Service Act 1974—PSD Nos. 29 to 35.  
 Racing Act 1958—Nos. 84, 85, 100, 101, 102 and 103.  
 Reference Areas Act 1978—No. 127.  
 Scaffolding Act 1971—Nos. 80 and 112.  
 Second-hand Dealers Act 1958—No. 82.  
 Stock Medicines Act 1958—No. 90.  
 Valuation of Land Act 1960—No. 86.  
 Victorian Film Corporation Act 1976—No. 135.  
 Youth, Sport and Recreation Act 1972—No. 99.

- 5 **MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL**—The President having announced that this Bill had previously been ruled to be a Private Bill—  
 The Honorable W. V. Houghton moved, That this Bill be dealt with as a Public Bill.  
 Debate ensued.  
 Question—put and resolved in the affirmative.  
 The Honorable W. V. Houghton moved, That this Bill be now read a first time.  
 Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 **MELBOURNE (YARRA PARK) LAND BILL**—The President having announced that this Bill had previously been ruled to be a Private Bill—  
 The Honorable W. V. Houghton moved, That this Bill be dealt with as a Public Bill.  
 Question—put and resolved in the affirmative.  
 The Honorable W. V. Houghton moved, That this Bill be now read a first time.  
 Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 7 **POSTPONEMENT OF ORDER OF THE DAY**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 8 **MELBOURNE (YARRA PARK) LAND BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.  
 Debate ensued.  
 The Honorable W. R. Baxter, for the Honorable D. M. Evans, moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until the next day of meeting.
- 9 **VICTORIAN FILM CORPORATION (AMENDMENT) BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.  
 The Honorable E. H. Walker moved, That the debate be now adjourned.  
 Question—That the debate be now adjourned—put and resolved in the affirmative.  
 Ordered—That the debate be adjourned until the next day of meeting.

- 10 SUPPLY (1980-81, No. 1) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 11 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 4, be postponed until later this day.

- 12 IMPERIAL ACTS APPLICATION BILL (No. 2), IMPERIAL LAW RE-ENACTMENT BILL (No. 2) AND CONSTITUTIONAL POWERS (REQUEST) BILL—The Order of the Day having been read for the resumption of the debate on the question, That these Bills be now read a second time (pursuant to the resolution of the Council on 25 March 1980)—

Debate resumed.

And the debate being concluded, the President ruled that, for the subsequent proceedings, the Bills be dealt with separately.

- 13 IMPERIAL ACTS APPLICATION BILL (No. 2)—

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb (*Teller*)  
 W. M. Campbell  
 B. A. Chamberlain  
                                       (*Teller*)  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

NOES, 11

The Hon. G. A. S. Butler  
 Joan Coxedge  
 R. J. Eddy  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

14 IMPERIAL LAW RE-ENACTMENT BILL (No. 2)—

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

15 CONSTITUTIONAL POWERS (REQUEST) BILL—

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

16 SALE OF LAND (DEPOSITS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable D. M. Evans having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 9, be postponed until later this day.

18 FRIENDLY SOCIETIES (BENEFITS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 19 MAGISTRATES' COURTS (JURISDICTION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 20 LOCAL AUTHORITIES SUPERANNUATION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with an amendment, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 21 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

- 22 MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable E. H. Walker moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until Tuesday next.

- 23 SUPPLY (1980-81, No. 1) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

And having continued to sit until after Twelve midnight—

#### WEDNESDAY, 30 APRIL

The President resumed the Chair; and the Honorable W. M. Campbell reported that the Committee had made progress in the Bill, and asked leave to sit again.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

24 ADJOURNMENT—The Honorable Haddon Storey moved, That the Council, at its rising, adjourn until this day at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at thirty-two minutes past Twelve o'clock in the morning, adjourned until this day at a quarter to Two o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 58—Wednesday, 30 April 1980

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGE FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented a Message from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:
  - Central Gippsland (Brown Coal Land Compensation) Act.*
  - Motor Car (Payments by Pensioners) Act.*
  - Navigable Waters (Oil Pollution) (Amendment) Act.*
  - Workers Compensation (General Amendment) Act.*
- 3 WODONGA AREA LAND ACQUISITION (VALIDATION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to validate certain Purchases made by the Minister for State Development Decentralization and Tourism pursuant to the 'Wodonga Area Land Acquisition Act 1973'*" and desiring the concurrence of the Council therein.
 

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 4 CHIROPODISTS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend sections 9 and 13 of the 'Chiropodists Act 1968'*" and desiring the concurrence of the Council therein.
 

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 YOUTH, SPORT AND RECREATION (GUARANTEES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to authorize the Treasurer of Victoria to guarantee the Repayment of Moneys borrowed by voluntary organizations for the purpose of providing sporting or recreation facilities*" and desiring the concurrence of the Council therein.
 

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 6 WANGERRIP (LAND EXCHANGE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the Exchange of certain Crown Land in the Parish of Wangerrip and certain Land in the Parish of Barwongemoong and for other Purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 7 RAILWAYS (BRIDGES) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend section 80 of the ‘Railways Act 1958’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 8 CROWN LAND (MINERAL SPRINGS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Crown Land (Reserves) Act 1978’ with respect to Mineral Springs Reserves and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 9 GROUNDWATER (MINERAL WATER) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make further Provision with respect to Groundwater, being Mineral Water, to amend the ‘Groundwater Act 1969’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

10 PAPERS—

STATUTE LAW REVISION COMMITTEE—STATUTE LAW REVISION BILL—The Honorable J. M. Walton presented a Report from the Statute Law Revision Committee upon the Statute Law Revision Bill, together with an Appendix and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendix to be printed.

\* \* \*

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Public Service Board—Report for the year 1978–79.

Town and Country Planning Act 1961—

Echuca—City of Echuca Planning Scheme—Amendment No. 41, 1979.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendment No. 115, 1979.

Rosedale—Shire of Rosedale Planning Scheme—Amendments Nos. 13 and 14, 1979.

The Honorable E. H. Walker moved, That the Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 11 WODONGA AREA LAND ACQUISITION (VALIDATION) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 12 CHIROPODISTS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier, for the Honorable W. V. Houghton, moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 13 YOUTH, SPORT AND RECREATION (GUARANTEES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 14 WANGERRIP (LAND EXCHANGE) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable R. J. Eddy, for the Honorable E. H. Walker, moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 15 RAILWAYS (BRIDGES) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable D. G. Crozier moved, That this Bill be now read a second time.

The Honorable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 16 CROWN LAND (MINERAL SPRINGS) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable W. V. Houghton moved, That this Bill be now read a second time.

The Honorable D. R. White moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 17 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 18 FORESTS (FURTHER AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

- 19 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 20 MELBOURNE (YARRA PARK) LAND BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.
- 21 STATUTE LAW REVISION BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
- Debate resumed.
- The Honorable J. M. Walton moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered, after debate—That the debate be adjourned until Tuesday next.
- 22 VICTORIAN FILM CORPORATION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
- The Honorable E. H. Walker moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 23 POSTPONEMENT OF ORDER OF THE DAY—Ordered—That the consideration of Order of the Day, Government Business, No. 6, be postponed until later this day.
- 24 HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 25 GROUNDWATER (MINERAL WATER) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.
- The Honorable D. R. White moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.



- 26 CANCER (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable Joan Coxsedgē moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this Bill be withdrawn and re-drafted to provide for the establishment in Victoria of a central cancer registry and the notification of cancers to such registry”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.

The Council divided.

AYES, 27

The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest (*Teller*)  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

NOES, 11

The Hon. G. A. S. Butler  
 Joan Coxsedgē  
 R. J. Eddy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 H. A. Thomas (*Teller*)  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 27 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 to 11 inclusive, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 55 inclusive, be postponed until later this day.

- 28 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—The Order of the Day having been read for the consideration of the Ministerial Statement relating to the Aluminium Smelter at Portland—

The Honorable D. R. White moved, That the Council take note of the Ministerial Statement.

Debate ensued.

The Honorable D. G. Crozier moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 29 VICTORIAN FILM CORPORATION (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 30 RAILWAYS (BRIDGES) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 31 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Country Fire Authority Act 1958'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 32 WANGERRIP (LAND EXCHANGE) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 33 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 34 SUPPLY (1980–81, No. 1) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 35 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at Eleven o'clock.

Question—put and resolved in the affirmative.

And the Council having continued to sit until after Twelve midnight—

#### THURSDAY, 1 MAY

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at eight minutes past Twelve o'clock in the morning, adjourned until this day at Eleven o'clock.

A. R. B. McDONNELL  
Clerk of the Legislative Council

## No. 59—Thursday, 1 May 1980

- 1 The President took the Chair and read the Prayer.
- 2 PENSIONERS' RATES REMISSION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make further provision with respect to the Payment of certain Rates and Charges*" and desiring the concurrence of the Council therein.  
On the motion of the Honorable D. G. Crozier, for the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 3 MOTOR CAR TRADERS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Motor Car Traders Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.  
On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 RACING (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Racing Act 1958’, and the ‘Lotteries Gaming and Betting Act 1966’ and for other purposes*” and desiring the concurrence of the Council therein.
- On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.
- 5 PAPER—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
- Victorian Film Corporation—Report for the year 1978–79.
- The Honorable W. A. Landeryou moved, That the Report be taken into consideration on the next day of meeting.
- Question—put and resolved in the affirmative.
- 6 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 6 inclusive, be postponed until later this day.
- 7 CROWN LAND (MINERAL SPRINGS) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 8 GROUNDWATER (MINERAL WATER) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.
- Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 9 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
- Debate resumed.
- The Honorable B. P. Dunn, for the Honorable K. I. Wright, moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until Tuesday next.

- 10 MELBOURNE UNDERGROUND RAIL LOOP (LAND DEVELOPMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable D. M. Evans moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof the words “this House refuses to read this Bill a second time until the Melbourne Underground Rail Loop Authority has been reviewed by the Public Bodies Review Committee”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put and negated—

Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 11 CHIROPODISTS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable P. D. Block having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 YOUTH, SPORT AND RECREATION (GUARANTEES) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had made progress in the Bill, had agreed to the following resolution:

That it be a suggestion to the Assembly that they make the following amendments in the Bill:

1 Clause 5, paragraph (a), line 23, omit “eleven” and insert “twelve”.

2 Clause 5, paragraph (c), line 29, omit "ten" and insert "eleven".

3 Clause 5, after paragraph (f) insert:

' ( ) In sub-paragraph (ix) for the word "two" there shall be substituted the word "three".'

and had made amendments in the Bill, and asked leave to sit again.

The House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report.

Ordered—That the Bill be returned to the Assembly with a Message suggesting that the Assembly amend the same as set forth in the foregoing resolution, and acquainting them that the Council have made amendments in the Bill, with which they desire the concurrence of the Legislative Assembly.

Resolved—That the Council will, on the next day of meeting, again resolve itself into the said Committee.

14 ESTATE AGENTS BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

15 GEELONG PERFORMING ARTS CENTRE TRUST BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to Constitute the Geelong Performing Arts Centre Trust, to make Provision with respect to the Construction, Management and operation of the Geelong Performing Arts Centre and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

16 MOTOR CAR TRADERS (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

17 PENSIONERS' RATES REMISSION BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable G. A. S. Butler moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

18 RACING (AMENDMENT) BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

The Honorable R. J. Eddy moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

19 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until Tuesday next at a quarter to Three o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-five minutes past Five o'clock, adjourned until Tuesday next at a quarter to Three o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

*Mr President takes the Chair at Three o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 GEELONG PERFORMING ARTS CENTRE TRUST BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- 2 STATUTE LAW REVISION BILL—(Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. J. M. Walton).
- 3 MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL—(Hon. W. V. Houghton)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- 4 WODONGA AREA LAND ACQUISITION (VALIDATION) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—Resumption of debate. (Hon. D. R. White).
- 5 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. K. I. Wright).
- \*6 PENSIONERS' RATES REMISSION BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. G. A. S. Butler).
- \*7 MOTOR CAR TRADERS (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- \*8 RACING (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—Resumption of debate. (Hon. R. J. Eddy).
- 9 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—To be further considered in Committee.
- 10 ESTATE AGENTS BILL—(from Assembly—Hon. Haddon Storey)—Second reading—Resumption of debate. (Hon. W. A. Landeryou).
- 11 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—Resumption of debate. (Hon. N. F. Stacey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.



- \*4 The Hon. D. N. SALTMARSH—To move, That the Liquefied Gases (Transportation and Gas Transfer) Regulations 1979 (Statutory Rule No. 416/1979), and the Liquefied Petroleum Gas (Amendment) Regulations 1979 (Statutory Rule No. 434/1979), be disallowed.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. R. J. Eddy).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(Hon. W. A. Landeryou)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(Hon. W. A. Landeryou)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(Hon. W. A. Landeryou)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(Hon. J. M. Walton)—Second reading—*Resumption of debate.* (Hon. D. N. Saltmarsh).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(Hon. Dr. K. J. Foley)—*Resumption of debate.* (Hon. H. R. Ward).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. W. R. Baxter).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(Hon. D. N. Saltmarsh)—*Resumption of debate.* (Hon. D. E. Kent).
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. D. G. Crozier).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J. Hunt).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(Hon. E. H. Walker)—*Resumption of debate.* (Hon. K. I. Wright).
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978–79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978–79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL’S REPORT, 1978–79—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978–79—To be considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978–79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS NOS. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).

- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978-79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—MOTION—That the Council take note of the Ministerial Statement (*Hon. D. R. White*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 60 DANDENONG VALLEY AUTHORITY REPORT, 1978-79—To be considered.
- 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1976-77—To be considered.
- 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978-79—To be considered.
- 63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978-79—To be considered.
- 64 YOUTH PAROLE BOARD REPORT, 1978-79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—REPORTS, 1978-79—To be considered.
- 67 LIQUOR CONTROL COMMISSION REPORT, 1978-79—To be considered.

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- 68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- 69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 70 SCIENCE MUSEUM COUNCIL REPORT, 1978-79—To be considered.
- 71 TROTting CONTROL BOARD REPORT, 1978-79—To be considered.
- 72 VICTORIA LAW FOUNDATION REPORT, 1978-79—To be considered.
- 73 CASINOS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 74 MINISTERIAL STATEMENT—TEACHER UNREST IN SECONDARY SCHOOLS—To be considered.
- 75 OMBUDSMAN'S QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 76 POST-SECONDARY EDUCATION COMMISSION REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 77 IMMIGRATION PROGRAMME—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 78 PUBLIC SERVICE BOARD REPORT, 1978-79—To be considered.
- \*79 VICTORIAN FILM CORPORATION REPORT, 1978-79—To be considered.

A. R. B. McDONNELL

*Clerk of the Legislative Council*

FRED S. GRIMWADE

*President*

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

ALLEGATIONS AGAINST VICTORIAN DEVELOPMENT CORPORATION MEMBER—The Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker.

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxside, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at a Quarter past Two o'clock*

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## LEGISLATIVE COUNCIL

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### GOVERNMENT BUSINESS

#### Orders of the Day

- \*1 PROFESSIONAL BOXING CONTROL (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading.
- \*2 STAMPS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*3 LIQUIFIED PETROLEUM GAS SUBSIDY BILL—(from Assembly—Hon. F. J. Granter)—Second reading.
- \*4 POLICE REGULATION (RETIRED POLICE RESERVE) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*5 STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL—(from Assembly—Hon. Haddon Storey)—Second reading.
- \*6 HOSPITALS AND CHARITIES (APPOINTMENT OF ADMINISTRATORS) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- \*7 HOSPITALS SUPERANNUATION (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- \*8 MOTOR REGISTRATION BILL—(from Assembly—Hon. D. G. Crozier)—Second reading.
- \*9 HOME FINANCE (BORROWING POWERS) BILL—(from Assembly—Hon. F. J. Granter)—Second reading.
- \*10 EPWORTH HOSPITAL BILL—(from Assembly—Hon. W. V. Houghton)—Second reading.
- \*11 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY (AMENDMENT) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading.
- \*12 WATER (VALUATION EQUALIZATION) BILL—(from Assembly—Hon. F. J. Granter)—Second reading.
- 13 GEELONG PERFORMING ARTS CENTRE TRUST BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. R. A. Mackenzie).
- \*14 TRANSPORT (ROAD FUNDS) BILL—(from Assembly—Hon. D. G. Crozier)—Second reading—*Resumption of debate.* (Hon. G. A. Sgro).
- \*15 BUILDING SOCIETIES (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)—Second reading—*Resumption of debate.* (Hon. Joan Coxsedge).
- \*16 TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL—(from Assembly—Hon. A. J. Hunt)—Second reading—*Resumption of debate.* (Hon. E. H. Walker).
- 17 ESTATE AGENTS BILL—(from Assembly—Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 18 ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—(from Assembly—Hon. W. V. Houghton)—To be further considered in Committee.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

19. MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL—(*Hon. W. V. Houghton*)—Second reading—*Resumption of debate.* (*Hon. E. H. Walker*).
20. MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—MOTION—That the Council take note of the Ministerial Statement—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. N. F. Stacey*).

## GENERAL BUSINESS

### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. D. N. SALTMARSH—To move, That the Liquefied Gases (Transportation and Gas Transfer) Regulations 1979 (Statutory Rule No. 416/1979), and the Liquefied Petroleum Gas (Amendment) Regulations 1979 (Statutory Rule No. 434/1979), be disallowed.

### Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate.* (*Hon. D. N. Saltmarsh*).
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate.* (*Hon. D. E. Kent*).

§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

Wednesday, 7 May 1980

- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(Hon. H. M. Hamilton)  
—Second reading—*Resumption of debate.* (Hon. W. A. Landeryou).
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(Hon. W. A. Landeryou)—Second reading  
—*Resumption of debate.* (Hon. Haddon Storey).
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the  
Council take note of the Report—(Hon. E. H. Walker)—*Resumption of  
debate.* (Hon. D. G. Crozier).
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT  
COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. A. J.  
Hunt).
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME,  
1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—  
(Hon. E. H. Walker)—*Resumption of debate.* (Hon. K. I. Wright).
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be  
considered.
- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on  
the question*—That there be a Select Committee of eight Members appointed  
to continuously assess and recommend works to control erosion, salination,  
water quality and delivery in the River Murray system of Victoria; the  
Committee to have power to send for persons, papers and records; three  
to be the quorum (Hon. D. M. Evans)—*and on the amendment of the Hon.  
R. A. Mackenzie*—That the words “and to assess and recommend works to  
control salination, particularly dryland salting, in all other parts of Victoria”  
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- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED  
PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979  
—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978-79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT,  
1978-79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL'S REPORT, 1978-79—To be  
considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978-79—To be  
considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978-79—MOTION  
—That the Council take note of the Accounts (Hon. R. A. Mackenzie)—  
*Resumption of debate.* (Hon. D. R. White).
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No.  
5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT)  
REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—  
To be considered.



- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4  
—To be considered.
- 37 SHIRE OF TAMBO (LAKES ENTRANCE) PLANNING SCHEME—AMENDMENTS Nos. 19, 22 AND 25—To be considered.
- 38 MURRAY VALLEY SALINITY AND DRAINAGE REPORT—To be considered.
- 39 FIREARMS, REPLICAS AND AMMUNITION—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).
- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedg*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR’S REPORT, 1977-78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS’ VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978-79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—MOTION—That the Council take note of the Ministerial Statement (*Hon. D. R. White*)—*Resumption of debate.* (*Hon. D. G. Crozier*).

Wednesday, 7 May 1980

- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(Hon. D. R. White)—*Resumption of debate.* (Hon. F. J. Granter).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(Hon. K. I. Wright)—*Resumption of debate.* (Hon. D. G. Crozier).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. Joan Coxsedge)—*Resumption of debate.* (Hon. W. A. Landeryou).
- 60 DANDENONG VALLEY AUTHORITY REPORT, 1978-79—To be considered.
- 61 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S REPORT, 1976-77—To be considered.
- 62 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1978-79—To be considered.
- 63 VICTORIAN GOVERNMENT TRAVEL AUTHORITY ACCOUNTS, 1978-79—To be considered.
- 64 YOUTH PAROLE BOARD REPORT, 1978-79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. Haddon Storey).
- 66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—REPORTS, 1978-79—To be considered.
- 67 LIQUOR CONTROL COMMISSION REPORT, 1978-79—To be considered.
- 68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- 69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 70 SCIENCE MUSEUM COUNCIL REPORT, 1978-79—To be considered.
- 71 TROTTERING CONTROL BOARD REPORT, 1978-79—To be considered.
- 72 VICTORIA LAW FOUNDATION REPORT, 1978-79—To be considered.
- 73 CASINOS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. Haddon Storey).
- 74 MINISTERIAL STATEMENT—TEACHER UNREST IN SECONDARY SCHOOLS—To be considered.
- 75 OMBUDSMAN'S QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 76 POST-SECONDARY EDUCATION COMMISSION REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 77 IMMIGRATION PROGRAMME—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(Hon. G. A. Sgro)—*Resumption of debate.* (Hon. D. G. Crozier).
- 78 PUBLIC SERVICE BOARD REPORT, 1978-79—To be considered.
- 79 VICTORIAN FILM CORPORATION REPORT, 1978-79—To be considered.
- \*80 ADULT PAROLE BOARD REPORTS, 1977-78 AND 1978-79—To be considered.
- \*81 BUILDING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- \*82 GRAIN ELEVATORS BOARD REPORT, 1977-78—To be considered.
- \*83 NATIONAL GALLERY COUNCIL REPORTS, 1977-78 AND 1978-79—To be considered.

A. R. B. McDONNELL  
Clerk of the Legislative Council

FRED S. GRIMWADE  
President

## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedge, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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*Mr President takes the Chair at Two o'clock*

## LEGISLATIVE COUNCIL

### GOVERNMENT BUSINESS

#### Orders of the Day

- 1 STAMPS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. Haddon Storey)  
—Second reading—Resumption of debate. (Hon. R. A. Mackenzie).
- 2 LIQUIFIED PETROLEUM GAS SUBSIDY BILL—(from Assembly—Hon. F. J. Granter)  
—Second reading—Resumption of debate. (Hon. I. B. Trayling).
- 3 TRANSPORT (ROAD FUNDS) BILL—(from Assembly—Hon. D. G. Crozier)—  
Second reading—Resumption of debate. (Hon. G. A. Sgro).
- 4 BUILDING SOCIETIES (AMENDMENT) BILL—(from Assembly—Hon. F. J. Granter)  
—Second reading—Resumption of debate. (Hon. Joan Coxsedge).
- 5 TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL—(from Assembly—  
Hon. A. J. Hunt)—Second reading—Resumption of debate. (Hon. E. H. Walker).
- 6 MONBULK AND DISTRICTS ELDERLY PEOPLE'S HOMES BILL—(Hon. W. V. Houghton)—  
Second reading—Resumption of debate. (Hon. E. H. Walker).
- 7 MINISTERIAL STATEMENT—PREMIERS' CONFERENCE AND LOAN COUNCIL, 1979—  
MOTION—That the Council take note of the Ministerial Statement—(Hon. Haddon Storey)—  
Resumption of debate. (Hon. N. F. Stacey).

### GENERAL BUSINESS

#### Notices of Motion

- 1 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon all aspects of superannuation; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 2 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to examine and make recommendations as to the franchise of the State Insurance Office; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 3 The Hon. W. A. LANDERYOU—To move, That there be a Select Committee of eight Members appointed to inquire into and report upon the desirability of the provision of free time on television and radio for political parties; the Committee to have power to send for persons, papers and records; three to be the quorum.
- 4 The Hon. D. N. SALTMARSH—To move, That the Liquefied Gases (Transportation and Gas Transfer) Regulations 1979 (Statutory Rule No. 416/1979), and the Liquefied Petroleum Gas (Amendment) Regulations 1979 (Statutory Rule No. 434/1979), be disallowed.

\* Notifications to which an asterisk (\*) is prefixed appear for the first time.

## Orders of the Day

- 1 VAGRANCY (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. R. J. Eddy).*
- 2 CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 3 LOCAL GOVERNMENT (SECURITY GLAZING) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 4 PUBLIC RECORDS (AMENDMENT) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 5 WILDLIFE (SPRING TRAPS) BILL—(*Hon. J. M. Walton*)—Second reading—*Resumption of debate. (Hon. D. N. Saltmarsh).*
- 6 CO-OPERATIVE SOCIETIES—REGISTRAR'S REPORT, 1976-77—MOTION—That the Council take note of the Report—(*Hon. Dr. K. J. Foley*)—*Resumption of debate. (Hon. H. R. Ward).*
- 7 HOSPITALS SUPERANNUATION BOARD REPORT, 1977-78—To be considered.
- §8 TEACHER HOUSING AUTHORITY REPORT, 1977-78—To be considered.
- 9 LAND CONSERVATION COUNCIL REPORT, 1978-79—To be considered.
- 10 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1977-78—MOTION—That the Council take note of the Report—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. W. R. Baxter).*
- 11 SUBORDINATE LEGISLATION COMMITTEE—REPORT UPON CONSOLIDATION OF POLICE AND MOTOR CAR REGULATIONS—MOTION—That the Council take note of the Report—(*Hon. D. N. Saltmarsh*)—*Resumption of debate. (Hon. D. E. Kent).*
- 12 HEALTH (ALCOHOLIC BEVERAGES ADVERTISING) BILL—(*Hon. H. M. Hamilton*)—Second reading—*Resumption of debate. (Hon. W. A. Landeryou).*
- 13 ANZAC DAY (PUBLIC HOLIDAY) BILL—(*Hon. W. A. Landeryou*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 14 ADULT EDUCATION COUNCIL REPORT, 1978-79—To be considered.
- 15 CRIMES COMPENSATION TRIBUNAL REPORT, 1978-79—To be considered.
- 16 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978-79—MOTION—That the Council take note of the Report—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. D. G. Crozier).*
- 17 TOTALIZATOR AGENCY BOARD REPORT, 1978-79—To be considered.
- 18 POLICE DEPARTMENT REPORT, 1978—To be considered.
- 19 PUBLIC FUNDING OF POLITICAL CAMPAIGNS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate. (Hon. A. J. Hunt).*
- §20 MINISTERIAL STATEMENT AND DOCUMENTATION—SCHOOL BUILDING PROGRAMME, 1979-80—To be considered.
- 21 WEBB DOCK FREIGHT LINE—MOTION ADVOCATING ALTERNATIVE RAIL ROUTE—(*Hon. E. H. Walker*)—*Resumption of debate. (Hon. K. I. Wright).*
- 22 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1978-79—To be considered.
- 23 ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1978—To be considered.

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§ Pursuant to order of the House on 13 November 1979, to be considered in conjunction with Order of the Day, General Business, No. 47.

- 24 RIVER MURRAY SYSTEM ASSESSMENT AND CONTROL—*Resumption of debate on the question*—That there be a Select Committee of eight Members appointed to continuously assess and recommend works to control erosion, salination, water quality and delivery in the River Murray system of Victoria; the Committee to have power to send for persons, papers and records; three to be the quorum (*Hon. D. M. Evans*)—*and on the amendment of the Hon. R. A. Mackenzie*—That the words “and to assess and recommend works to control salination, particularly dryland salting, in all other parts of Victoria” be inserted to follow “Victoria”—(*Hon. R. J. Long*).
- 25 CONSERVATION OF ENERGY RESOURCES COMMITTEE—REPORT UPON LIQUEFIED PETROLEUM GAS—To be considered.
- 26 PORT PHILLIP AUTHORITY CONSOLIDATED REPORT, PERIOD ENDING 30 JUNE 1979—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1978–79—To be considered.
- 28 DEPARTMENT OF STATE DEVELOPMENT, DECENTRALIZATION AND TOURISM REPORT, 1978–79—To be considered.
- 29 YOUTH, SPORT AND RECREATION—DIRECTOR-GENERAL’S REPORT, 1978–79—To be considered.
- 30 STATE RIVERS AND WATER SUPPLY COMMISSION REPORT, 1978–79—To be considered.
- 31 GEELONG WATERWORKS AND SEWERAGE TRUST—ACCOUNTS, 1978–79—MOTION—That the Council take note of the Accounts (*Hon. R. A. Mackenzie*)—*Resumption of debate.* (*Hon. D. R. White*).
- 32 NATIONAL PARKS (AMENDMENT No. 3) REGULATIONS 1979—To be considered.
- 33 POST-SECONDARY EDUCATION COMMISSION REGULATIONS 1980 (AMENDMENT No. 5)—To be considered.
- 34 RACING (LICENSING OF GREYHOUND RACING GROUNDS) (AMENDMENT) REGULATIONS 1979—To be considered.
- 35 RACING (GREYHOUND REGISTRATION FEES AMENDMENT) REGULATIONS 1980—To be considered.
- 36 LAKE TYERS TO CAPE HOWE COASTAL PLANNING SCHEME—AMENDMENT No. 4—To be considered.
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- 40 FIRE SERVICES—MOTION ADVOCATING REVISED METHOD OF FUNDING—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. R. J. Eddy*).
- 41 INDUSTRIAL UNREST—*Resumption of debate on the question*—That this House deplores the failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest, with consequent hardship and resultant unemployment within the State of Victoria (*Hon. Clive Bubb*)—*and on the amendment of the Hon. W. A. Landeryou*—That the words “failure of the Parliamentary Labor Party to seek to influence the trade union movement to prevent unnecessary and unjustified industrial unrest” be omitted with the view of inserting in place thereof “actions of the Government in continuing to provoke industrial disputes and their failure to satisfactorily resolve the current industrial disputes”—(*Hon. D. K. Hayward*).

- 42 PERSONAL EXPLANATION—MOTION FOR CENSURE OF MEMBER—(*Hon. H. M. Hamilton*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 43 COMMERCIAL FISHERIES SECTION REPORT, 1977-78—To be considered.
- 44 RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 45 CO-OPERATIVE HOUSING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 46 HOSPITALS REMUNERATION TRIBUNAL (MEDICAL FEES) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 47 EDUCATION POLICIES REVIEW—MOTION FOR REFERRAL OF MEMBERS' VIEWS—(*Hon. B. P. Dunn*)—*Resumption of debate.* (*Hon. Dr R. W. Howard*).
- 48 HOUSING ADVISORY COUNCIL REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 49 CONSTITUTION (COUNCIL POWERS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 50 HISTORIC BUILDINGS (HISTORIC AREAS) BILL—(*Hon. W. A. Landeryou*)—Second reading.
- 51 DRUGS AND RELATED MATTERS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
- 52 EDUCATION ACT CERTIFICATE—RESUMPTION OF CRANBOURNE LAND—To be considered.
- 53 MINISTERIAL STATEMENT—MMBW HEAD OFFICE BUILDING—MOTION—That the Council take note of the Ministerial Statement—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 54 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1978-79—To be considered.
- 55 VICTORIAN PUBLIC OFFICES CORPORATION ACT 1974—REPORT OF EXERCISE OF POWERS DATED 21 FEBRUARY 1980—To be considered.
- 56 MINISTERIAL STATEMENT—ALUMINIUM SMELTER AT PORTLAND—MOTION—That the Council take note of the Ministerial Statement (*Hon. D. R. White*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 57 MMBW FINANCIAL OPERATIONS—MOTION ADVOCATING REFORM—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. F. J. Granter*).
- 58 ROAD WORKS FUNDING—MOTION ADVOCATING INCREASE—(*Hon. K. I. Wright*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 59 VICTORIA POLICE SPECIAL BRANCH—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. Joan Coxsedge*)—*Resumption of debate.* (*Hon. W. A. Landeryou*).
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- 64 YOUTH PAROLE BOARD REPORT, 1978-79—To be considered.
- 65 SMALL BUSINESS TENANCY AGREEMENTS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 66 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—REPORTS, 1978-79—To be considered.
- 67 LIQUOR CONTROL COMMISSION REPORT, 1978-79—To be considered.

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- 68 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1978—To be considered.
- 69 RAILWAYS BOARD QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 70 SCIENCE MUSEUM COUNCIL REPORT, 1978-79—To be considered.
- 71 TROTTING CONTROL BOARD REPORT, 1978-79—To be considered.
- 72 VICTORIA LAW FOUNDATION REPORT, 1978-79—To be considered.
- 73 CASINOS—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. W. A. Landeryou*)—*Resumption of debate.* (*Hon. Haddon Storey*).
- 74 MINISTERIAL STATEMENT—TEACHER UNREST IN SECONDARY SCHOOLS—To be considered.
- 75 OMBUDSMAN'S QUARTERLY REPORT, DECEMBER 1979—To be considered.
- 76 POST-SECONDARY EDUCATION COMMISSION REPORT, PERIOD ENDED 30 JUNE 1979—To be considered.
- 77 IMMIGRATION PROGRAMME—MOTION FOR APPOINTMENT OF SELECT COMMITTEE—(*Hon. G. A. Sgro*)—*Resumption of debate.* (*Hon. D. G. Crozier*).
- 78 PUBLIC SERVICE BOARD REPORT, 1978-79—To be considered.
- 79 VICTORIAN FILM CORPORATION REPORT, 1978-79—To be considered.
- 80 ADULT PAROLE BOARD REPORTS, 1977-78 AND 1978-79—To be considered.
- 81 BUILDING SOCIETIES—REGISTRAR'S REPORT, 1977-78—To be considered.
- 82 GRAIN ELEVATORS BOARD REPORT, 1977-78—To be considered.
- 83 NATIONAL GALLERY COUNCIL REPORTS, 1977-78 AND 1978-79—To be considered.
- \*84 ARTS CENTRE BUILDING COMMITTEE REPORT, 1978-79—To be considered.
- \*85 CONSUMER AFFAIRS—DIRECTOR'S REPORT, 1978-79—To be considered.
- \*86 STATE SUPERANNUATION BOARD REPORT, 1978-79—To be considered.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

FRED S. GRIMWADE  
*President*



## CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honorable W. M. Campbell.

TEMPORARY CHAIRMEN—The Honorables P. D. Block, B. A. Chamberlain, D. M. Evans, V. T. Hauser, R. J. Long, I. B. Trayling and J. M. Walton.

### SELECT COMMITTEES

COMPANY TAKE-OVERS (JOINT)—The Honorables R. Lawson, R. A. Mackenzie and J. W. S. Radford.

CONSERVATION OF ENERGY RESOURCES (JOINT)—The Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling.

HOUSE (JOINT)—The Honorables the President (*ex officio*), B. P. Dunn, D. M. Evans, Dr K. J. Foley, W. A. Landeryou and I. B. Trayling.

LIBRARY (JOINT)—The Honorables the President, D. M. Evans, C. J. Kennedy, G. A. Sgro and N. F. Stacey.

PRINTING—The Honorables the President, G. A. S. Butler, B. P. Dunn, R. I. Knowles, N. F. Stacey and K. I. Wright.

PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)—The Honorables Clive Bubb, G. A. S. Butler, D. K. Hayward and N. F. Stacey.

PUBLIC BODIES REVIEW (JOINT)—The Honorables B. A. Chamberlain, Dr K. J. Foley and D. R. White.

ROAD SAFETY (JOINT)—The Honorables B. P. Dunn, H. M. Hamilton and H. A. Thomas.

STANDING ORDERS—The Honorables the President, W. R. Baxter, P. D. Block, W. M. Campbell, B. A. Chamberlain, B. P. Dunn, J. V. C. Guest, W. A. Landeryou and E. H. Walker.

STATUTE LAW REVISION (JOINT)—The Honorables Joan Coxsedg, D. M. Evans, J. V. C. Guest, N. B. Reid and J. M. Walton.

SUBORDINATE LEGISLATION (JOINT)—The Honorables D. E. Kent and D. N. Saltmarsh.

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# MINUTES OF THE PROCEEDINGS

No. 60—Tuesday, 6 May 1980

- 1 The President took the Chair and read the Prayer.
- 2 MESSAGES FROM HIS EXCELLENCY THE GOVERNOR—The Honorable A. J. Hunt presented Messages from His Excellency the Governor informing the Council that he had, this day, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz.:

*Extractive Industries (Amendment) Act.*  
*Health (Special Accommodation Houses) Act.*  
*Cancer (Amendment) Act.*  
*Victorian Film Corporation (Amendment) Act.*  
*Railways (Bridges) Act.*  
*Wangerrip (Land Exchange) Act.*  
*Supply (1980–81, No. 1) Act.*  
*Crown Land (Mineral Springs) Act.*  
*Groundwater (Mineral Water) Act.*  
*Melbourne Underground Rail Loop (Land Development) Act.*  
*Chiropodists (Amendment) Act.*  
*Youth, Sport and Recreation (Guarantees) Act.*

- 3 TRANSPORT (ROAD FUNDS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to validate certain payments made out of the Roads (Special Projects) Fund, to close the Road Maintenance Account in the Country Roads Board Fund, to abolish the Roads (Special Projects) Fund, to amend the ‘Business Franchise (Petroleum Products) Act 1979’, the ‘Commercial Goods Vehicles Act 1958’, the ‘Country Roads Act 1958’, the ‘Motor Car Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 4 BUILDING SOCIETIES (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Building Societies Act 1976’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 5 VICTORIAN SOLAR ENERGY COUNCIL BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish a Victorian Solar Energy Council to encourage, promote and review Research into and the Development of the Uses and potential uses of Solar Energy and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 6 TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to abolish the Town and Country Planning Board, to transfer the Staff of that Board into the Public Service, to establish a Planning Consultative Council, to repeal the ‘Ministry for Planning Act 1973’, to make certain consequential Amendments to the ‘Town and Country Planning Act 1961’ and to various other Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

7 PAPERS—

SELECT COMMITTEE ON ALLEGATIONS AGAINST MEMBER OF VICTORIAN DEVELOPMENT CORPORATION—The Honorable B. A. Chamberlain presented the Report of the Select Committee of the Legislative Council appointed to inquire into the truth of and justification for allegations made by the Hon. D. R. White against Mr G. H. Robertson, a Member of the Victorian Development Corporation, together with Appendices, Extracts from the Proceedings of the Committee and Minutes of Evidence.

Ordered to lie on the Table, and the Report, Appendices and Extracts from the Proceedings to be printed.

\* \* \*

CONSERVATION OF ENERGY RESOURCES COMMITTEE—FIFTH PROGRESS REPORT—The Honorable I. B. Trayling presented the Fifth Progress Report from the Conservation of Energy Resources Committee upon Traffic Management, together with Appendices, Submissions and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

\* \* \*

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Adult Parole Board—Reports for the years 1977–78 and 1978–79 (two papers).

Building Societies—Report of the Registrar for the year 1977–78.

Education Act 1958—Resumption of land at Frankston—Certificate of the Minister of Education.

Grain Elevators Board—Report for the year ended 31 October 1978.

National Gallery—Reports of the Council of Trustees, together with statements of income and expenditure, for the years 1977–78 and 1978–79 (two papers).

The Honorable E. H. Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 8 GEELONG PERFORMING ARTS CENTRE TRUST BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 9 **BUILDING SOCIETIES (AMENDMENT) BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.
- The Honorable Joan Coxsedg moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 10 **TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.
- The Honorable E. H. Walker moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 11 **VICTORIAN SOLAR ENERGY COUNCIL BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.
- The Honorable E. H. Walker moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 12 **TRANSPORT (ROAD FUNDS) BILL**—The Order of the Day for the second reading of this Bill having been read, the Honorable A. J. Hunt moved, That this Bill be now read a second time.
- The Honorable R. J. Eddy, for the Honorable G. A. Sgro, moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 13 **STATUTE LAW REVISION BILL**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—
- The Honorable W. A. Landeryou moved, That the debate be now adjourned.
- Question—That the debate be now adjourned—put and resolved in the affirmative.
- Ordered—That the debate be adjourned until later this day.
- 14 **POSTPONEMENT OF ORDERS OF THE DAY**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.
- 15 **PENSIONERS' RATES REMISSION BILL**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.
- House in Committee.
- The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.

The Honorable Haddon Storey moved, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 29

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton (*Teller*)  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

NOES, 13

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White (*Teller*)

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 16 STATUTE LAW REVISION BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be transmitted to the Assembly with a Message desiring their concurrence therein.

17 MOTOR CAR TRADERS (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

Question—put.

The Council divided.

AYES, 28

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser (*Teller*)  
 D. K. Hayward (*Teller*)  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

NOES, 13

The Hon. G. A. S. Butler (*Teller*)  
 Joan Coxsedge (*Teller*)  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted.

The Honorable Haddon Storey moved, That the Bill be now read a third time.

Question—put.

The Council divided.

AYES, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain

NOES, 12

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy (*Teller*)  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie

D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard

(Teller)

A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles (Teller)  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Bill read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 18 RACING (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 19 COUNTRY FIRE AUTHORITY (AMENDMENT) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 20 PROFESSIONAL BOXING CONTROL (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Professional Boxing Control Act 1975'*" and desiring the concurrence of the Council therein.

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 21 VICTORIAN SOLAR ENERGY COUNCIL BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable E. H. Walker moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for a single Energy Research and Development Council responsible for the encouragement of research and development of alternative energy forms and uses".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put. The Council divided.

AYES, 28

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson (*Teller*)  
 R. J. Long (*Teller*)  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

NOES, 12

G. A. S. Butler  
 Joan Coxsedg  
 R. J. Eddy  
 C. J. Kennedy (*Teller*)  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 (*Teller*)  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

And having continued to sit after Twelve midnight—

WEDNESDAY, 7 MAY

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.



- 22 STAMPS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Stamps Act 1958’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, for the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 23 LIQUIFIED PETROLEUM GAS SUBSIDY BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to subsidize the cost of Liquefied Petroleum Gas when used for certain purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and, by leave, to be read a second time later this day.

- 24 WODONGA AREA LAND ACQUISITION (VALIDATION) BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

The Honorable D. R. White moved, as an amendment, That all the words after “That” be omitted with the view of inserting in place thereof “this House refuses to read this Bill a second time until a Queen’s Counsel, with powers appropriate to the powers given under Part VIA. of the *Companies Act 1961*, has been appointed to examine the Wallace transaction referred to in item 10 of the Schedule to the Bill”.

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.  
The Council divided.

AYES, 25

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
W. M. Campbell  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest  
D. K. Hayward  
W. V. Houghton  
Dr. R. W. Howard  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
(Teller)  
N. B. Reid (Teller)  
D. N. Saltmarsh  
N. F. Stacey  
J. A. Taylor  
K. I. Wright

NOES, 10

The Hon. G. A. S. Butler (Teller)  
Joan Coxsedg  
R. J. Eddy  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
H. A. Thomas  
E. H. Walker  
D. R. White (Teller)

And so it was resolved in the affirmative—Amendment negatived.

Question—That this Bill be now read a second time—put and resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 25 POLICE REGULATION (RETIRED POLICE RESERVE) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Police Regulation Act 1958' with respect to the Entitlement of Police Reservists to Long Service Leave and Recreation Leave Allowances, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 26 STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'State Employees Retirement Benefits Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 27 HOSPITALS AND CHARITIES (APPOINTMENT OF ADMINISTRATORS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Hospitals and Charities Act 1958' to provide a Power to appoint an Administrator to a Community Health Service and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 28 HOSPITALS SUPERANNUATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Hospitals Superannuation Act 1965' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable W. V. Houghton, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 29 MOTOR REGISTRATION BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to transfer the staff and administration of the Motor Registration Branch to the Transport Regulation Board, to expand the membership of the Transport Regulation Board for certain purposes, to amend the 'Commercial Goods Vehicles Act 1958', the 'Country Roads Act 1958', the 'Motor Car Act 1958', the 'Recreation Vehicles Act 1973', the 'Stamps Act 1958', the 'Transport Regulation Act 1958', and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honorable D. G. Crozier, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 30 HOME FINANCE (BORROWING POWERS) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Home Finance Act 1962’ to make provision with relation to the Borrowing of Moneys by the Home Finance Trust and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 31 EPWORTH HOSPITAL BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish a Body Corporate under the name of Epworth Hospital, to repeal the ‘Epworth Hospital (Guarantee) Act 1977’ and the ‘Epworth Hospital (Guarantee) (Amendment) Act 1977’, and for other purposes*” and desiring the concurrence of the Council therein.

The President ruled the Bill to be a Private Bill.

The Honorable Haddon Storey, for the Honorable W. V. Houghton, moved, That this Bill be dealt with as a Public Bill.

Debate ensued.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey, for the Honorable W. V. Houghton, moved, That this Bill be now read a first time.

Question—put and resolved in the affirmative—Bill read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 32 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Upper Yarra Valley and Dandenong Ranges Authority Act 1976’*” and desiring the concurrence of the Council therein.

On the motion of the Honorable Haddon Storey, for the Honorable A. J. Hunt, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 33 WATER (VALUATION EQUALIZATION) BILL—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Water Act 1958’ with respect to the Rating of Properties and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honorable F. J. Granter, the Bill transmitted by the foregoing Message was read a first time and ordered to be printed and to be read a second time on the next day of meeting.

- 34 ADJOURNMENT—The Honorable Haddon Storey moved, That the Council, at its rising, adjourn until this day at Two o’clock.

Question—put and resolved in the affirmative.

The Honorable Haddon Storey moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at fifty-six minutes past Two o’clock in the morning, adjourned until this day at Two o’clock.

## No. 61—Wednesday, 7 May 1980

1 The President took the Chair and read the Prayer.

2 PAPERS—

TEACHER EDUCATION IN VICTORIA—The Honorable A. J. Hunt moved, by leave, That an amended copy of the Interim Report of the Victorian Inquiry into Teacher Education do lie on the Table in lieu of the Report presented to the House pursuant to the Order of 19 March 1980.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honorable A. J. Hunt.

\* \* \*

ALLEGATIONS AGAINST POLICE—The Honorable Haddon Storey presented, by command of His Excellency the Governor, the Report of the Committee appointed to examine and advise in relation to the recommendations made in Chapter 8 of Volume 1 of the Report of the Board of Inquiry appointed for the purpose of inquiring into and reporting upon certain allegations against members of the Victoria Police Force.

Ordered to lie on the Table.

\* \* \*

SUBORDINATE LEGISLATION COMMITTEE—LIQUEFIED PETROLEUM GAS REGULATIONS—The Honorable D. N. Saltmarsh presented a Report from the Subordinate Legislation Committee upon the Liquefied Gases (Transportation and Gas Transfer) Regulations 1979 (Statutory Rule No. 416/1979) and the Liquefied Petroleum Gas (Amendment) Regulations 1979 (Statutory Rule No. 434/1979).

Ordered to lie on the Table.

\* \* \*

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Arts Centre—Report of the Building Committee for the year 1978–79.

Consumer Affairs—Report of the Director of Consumer Affairs for the year 1978–79.

Superannuation—Report of the State Superannuation Board for the year 1978–79.

Town and Country Planning Act 1961—

Alexandra—Shire of Alexandra Planning Scheme—Amendments Nos. 9, 10 and 11, 1979.

Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 50.

Cranbourne Planning Scheme 1960—Amendment No. 27, 1978.

Echuca—City of Echuca Planning Scheme—Amendment No. 45.

Kilmore—Shire of Kilmore Planning Scheme—Amendments Nos. 41 and 42, 1980.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendment No. 79, 1977.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1965—Amendment No. 125, 1979.

The Honorable E. H. Walker moved, That the Reports tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

3 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 16 inclusive, be postponed until later this day.

4 ESTATE AGENTS BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill with amendments, the House ordered the Report to be taken into consideration this day, whereupon the House adopted the Report, and the Bill was read a third time and passed.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments and desiring their concurrence therein.

5 PROFESSIONAL BOXING CONTROL (AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

6 LIQUIFIED PETROLEUM GAS SUBSIDY BILL—The Order of the Day for the second reading of this Bill having been read, the Honorable F. J. Granter moved, That this Bill be now read a second time.

Debate ensued.

The Honorable I. B. Trayling moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

7 STAMPS (AMENDMENT) BILL (No. 2)—The Order of the Day for the second reading of this Bill having been read, the Honorable Haddon Storey moved, That this Bill be now read a second time.

The Honorable R. A. Mackenzie moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

8 POLICE REGULATION (RETIRED POLICE RESERVE) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 9 **ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that the Assembly, having considered the Message of the Council suggesting on the consideration of the Bill in Committee that the Assembly make amendments in such Bill and acquainting the Assembly that the Council had made amendments in the Bill, have made the suggested amendments and desire the concurrence of the Council therein, and have agreed to the amendments made by the Council in the Bill.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

The Order of the Day for the further consideration of this Bill in Committee of the whole having been read, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill, including the amendments made by the Assembly which were suggested by the Council, without further amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill, including the amendments made by the Assembly which were suggested by the Council, without further amendment.

- 10 **STATE EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 11 **HOME FINANCE (BORROWING POWERS) BILL**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 **HOSPITALS AND CHARITIES (APPOINTMENT OF ADMINISTRATORS) BILL**—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable R. J. Long having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 HOSPITALS SUPERANNUATION (AMENDMENT) BILL—This Bill was, according to Order, read a second time and committed to a Committee of the whole.  
House in Committee.  
The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.  
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 14 EPWORTH HOSPITAL BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.  
House in Committee.  
The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.  
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 15 MOTOR REGISTRATION BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.  
House in Committee.  
The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.  
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 16 UPPER YARRA VALLEY AND DANDENONG RANGES AUTHORITY (AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.  
House in Committee.  
The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.  
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 17 WATER (VALUATION EQUALIZATION) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.  
House in Committee.  
The Deputy President resumed the Chair; and the Honorable B. A. Chamberlain having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.  
Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.
- 18 GEELONG PERFORMING ARTS CENTRE TRUST BILL—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, was read and, after further debate, the question being put was resolved in the affirmative—Bill read a second time and committed to a Committee of the whole.  
House in Committee.

The President resumed the Chair; and the Honorable V. T. Hauser having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

19 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until tomorrow at a quarter to Two o'clock.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at forty-five minutes past Eleven o'clock, adjourned until tomorrow at a quarter to Two o'clock.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

## No. 62—Thursday, 8 May 1980

1 The President took the Chair and read the Prayer.

2 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment:

Local Government (Validation) Bill.

Local Government (General Amendment) Bill.

Local Authorities Superannuation (Amendment) Bill.

Dog (Amendment) Bill.

Statute Law Revision Bill.

3 ESTATE AGENTS BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the amendments made in such Bill by the Council and have made an amendment in the Bill with which they desire the concurrence of the Council.

Ordered—That the foregoing Message be now taken into consideration.

And the amendment now made by the Assembly was read and is as follows:

Clause 15, line 31, omit "11 March 1980" and insert "23 April 1980".

On the motion of the Honorable Haddon Storey, the Council agreed to the amendment made by the Assembly and ordered that a Message be sent to the Assembly acquainting them therewith.

4 MINISTERIAL STATEMENT—SEWERAGE WORKS FUNDING—The Honorable F. J. Granter made a Ministerial Statement on the Funding of Sewerage Works.

The Honorable D. R. White moved, That the Ministerial Statement be taken into consideration forthwith.

Question—put and resolved in the affirmative.



The Honorable D. R. White moved, That the Council take note of the Ministerial Statement.

Debate ensued.

The Honorable Glyn Jenkins moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

## 5 PAPERS—

**PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE—AUDITOR-GENERAL'S REPORTS**—The Honorable N. F. Stacey presented a Report from the Public Accounts and Expenditure Review Committee on the Auditor-General's Reports for 1976-77.

Ordered to lie on the Table and to be printed.

\* \* \*

The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Education Act 1958—Resumption of land at Gisborne—Certificate of the Minister of Education.

Melbourne University—Financial statements for the year 1978.

Minerals and Energy—Report of the Department of Minerals and Energy for the year 1977.

Motor Car Traders Committee—Report for the year 1979.

Soil Conservation Authority—Report for the year 1978-79.

Victorian Dairy Industry Authority—Report and statements of accounts for the year 1978-79.

Workers Compensation Board Fund—Balance-sheets and statements of receipts and expenditure for the years 1976-77 and 1977-78 (two papers).

6 **POSTPONEMENT OF ORDERS OF THE DAY**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.

7 **TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL**—The Order of the Day for the resumption of the debate on the question, That this Bill be now read a second time, having been read—

Debate resumed.

The Honorable E. H. Walker moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this Bill be withdrawn and re-drafted to provide for:

1 the establishment of a Ministry for Planning and Regional Development to take over the responsibility for planning, State development and decentralization; the Ministry to formulate strategy plans for the whole of Victoria; and

2 the establishment of a Land Commission with power to acquire, develop and market land".

Debate ensued.

Question—That the words proposed to be omitted stand part of the question—put.



On the motion of the Honorable W. V. Houghton, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 9 STAMPS (AMENDMENT) BILL (No. 2)—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 10 LIQUIFIED PETROLEUM GAS SUBSIDY BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 11 TRANSPORT (ROAD FUNDS) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 12 BUILDING SOCIETIES (AMENDMENT) BILL—This Bill was, according to Order and after debate, read a second time and committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honorable W. M. Campbell having reported that the Committee had agreed to the Bill without amendment, the Report was adopted, and the Bill was read a third time and passed.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the Bill without amendment.

- 13 POSTPONEMENT OF NOTICES OF MOTION AND ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, and Notices of Motion, General Business, Nos. 1 to 3 inclusive, be postponed until later this day.

- 14 **DISALLOWANCE OF STATUTORY RULES**—The Honorable D. N. Saltmarsh moved, That the Liquefied Gases (Transportation and Gas Transfer) Regulations 1979 (Statutory Rule No. 416/1979) and the Liquefied Petroleum Gas (Amendment) Regulations 1979 (Statutory Rule No. 434/1979) be disallowed.

The Honorable W. A. Landeryou moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until later this day.

- 15 **POSTPONEMENT OF ORDER OF THE DAY**—Ordered—That the consideration of Order of the Day, General Business, No. 1, be postponed until later this day.

- 16 **CRIMES (INHUMANE PUNISHMENT ABOLITION) BILL**—The Order of the Day of the second reading of this Bill having been read, the Honorable W. A. Landeryou moved, That this Bill be now read a second time.

Debate ensued.

The Honorable P. D. Block moved, That the debate be now adjourned.

Question—That the debate be now adjourned—put and resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 17 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly:

Returning the following Bills and acquainting the Council that they have agreed to the same without amendment:

Imperial Acts Application Bill (No. 2).

Imperial Law Re-enactment Bill (No. 2).

Constitutional Powers (Request) Bill.

Friendly Societies (Benefits) Bill.

Magistrates' Courts (Jurisdiction) Bill.

Baker Medical Research Institute Bill.

Revocation and Excision of Crown Reservations Bill.

Returning the Town and Country Planning (Amalgamation) Bill and acquainting the Council that they have agreed to the amendment made in such Bill by the Council.

- 18 **PAPER—EDUCATION STRATEGIES AND STRUCTURES**—The Honorable A. J. Hunt moved, by leave, That there be laid before this House a copy of the Green Paper on Strategies and Structures for Education in Victoria.

Question—put and resolved in the affirmative.

The said Paper was thereupon presented by the Honorable A. J. Hunt and ordered to lie on the Table and to be printed.

- 19 **POSTPONEMENT OF ORDERS OF THE DAY**—Ordered—That the consideration of Orders of the Day, General Business, Nos. 3 to 43 inclusive, be postponed until later this day.

- 20 **RAPE—MOTION FOR APPOINTMENT OF SELECT COMMITTEE**—The Order of the Day having been read for the resumption of the debate on the question—That there be a Select Committee to inquire into rape (for motion, see page 116 *ante*)—

Debate resumed.

The Honorable J. V. C. Guest moved, That the debate be now adjourned.

Question—put.

The Council divided.

AYES, 20

The Hon. H. G. Baylor (*Teller*)  
 P. D. Block  
 C. Bubb  
 W. M. Campbell  
 D. G. Crozier  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 J. A. Taylor (*Teller*)

NOES, 13

The Hon. W. R. Baxter  
 G. A. S. Butler  
 Joan Cocksedge (*Teller*)  
 R. J. Eddy (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.

Ordered—That the debate be adjourned until the next day of meeting.

- 21 DISALLOWANCE OF STATUTORY RULES—The Order of the Day having been read for the resumption of the debate on the question—That the Liquefied Gases (Transportation and Gas Transfer) Regulations 1979 (Statutory Rule No. 416/1979) and the Liquefied Petroleum Gas (Amendment) Regulations 1979 (Statutory Rule No. 434/1979) be disallowed—

Debate resumed.

Question—put and resolved in the affirmative.

- 22 LEGAL PROFESSION PRACTICE (LEO CUSSEN INSTITUTE) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be now taken into consideration.

And the said amendments were read and are as follows:

- 1 Clause 3, paragraph (a), omit this paragraph and insert the following paragraph:

‘(a) In—

(i) sub-section (7); and

(ii) sub-section (9)—

the words “or in default of a direction as the Council determines” are repealed;’.

- 2 Clause 3, paragraph (b), lines 24 and 25, omit “as is agreed between the Attorney-General and the Council or in default of such agreement”.

On the motion of the Honorable A. J. Hunt, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 23 SALE OF LAND (DEPOSITS) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.

Ordered—That the amendments be taken into consideration later this day.

- 24 POSTPONEMENT OF ORDERS OF THE DAY—Ordered—That the consideration of Orders of the Day, General Business, Nos. 45 to 65 inclusive, be postponed until later this day.

- 25 EQUAL OPPORTUNITY BOARD AND COMMISSIONER FOR EQUAL OPPORTUNITY—REPORTS, 1978–79—The Order of the Day having been read for the consideration of the Reports of the Equal Opportunity Board and Commissioner for Equal Opportunity for 1978–79, the Honorable H. G. Baylor moved, That the Council take note of the Reports.

Question—put and resolved in the affirmative.

- 26 SALE OF LAND (DEPOSITS) BILL—The Order of the Day for the consideration of the amendments made by the Assembly in this Bill having been read, the said amendments were read and are as follows:

- 1 Clause 2, page 2, lines 12–14, omit all words and expressions on these lines and insert:

“Deposit moneys” in relation to a transaction for the sale of land includes any moneys which are part of the purchase price received by the vendor before the purchaser becomes entitled to a transfer or conveyance of the land which is the subject of the transaction, or in the case of a terms contract any moneys received by the vendor before the purchaser becomes entitled to possession or to the receipt of rent and profits pursuant to the contract.’

- 2 Clause 2, page 2, line 34, omit “or (2)”.

- 3 Clause 2, page 3, line 10, omit “he” and insert “the vendor”.

- 4 Clause 2, page 3, line 13, omit “he” and insert “the purchaser”.

- 5 Clause 2, page 4, line 14, after “*Strata Titles Act 1967*” insert “or section 8A of this Act”.

On the motion of the Honorable A. J. Hunt, and after debate, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 27 GOVERNMENT BUILDINGS ADVISORY COUNCIL REPORT, 1978–79—The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the Report—

Debate resumed.

Question—put and resolved in the affirmative.

And the Council having continued to sit after Twelve midnight—

FRIDAY, 9 MAY

- 28 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment:

Forests (Amendment) Bill.

Forests (Further Amendment) Bill.

- 29 POST-SECONDARY EDUCATION (AMENDMENT) BILL—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to the same with amendments and desiring the concurrence of the Council therein.

Ordered—That the foregoing Message be now taken into consideration.

And the said amendments were read and are as follows:

- 1 Clause 2, page 4, line 36, after “may” insert “within four weeks of receiving that notice”.
- 2 Clause 2, page 11, lines 35–37, omit the words and expressions on these lines and insert—  
“(b) the institution which offers or proposes to introduce the course—”.
- 3 Clause 2, page 11, lines 42–44, omit the words and expressions on these lines.
- 4 Clause 2, page 12, lines 4–6, omit the words and expressions on these lines.
- 5 Clause 2, page 13, line 6, after “regulations.” insert—  
“(4) The Commission shall furnish the Minister with copies of every report received by it under this section.”.
- 6 Clause 4, page 15, line 26, omit “and”.
- 7 Clause 4, page 15, line 26, after this line insert—  
“( ) shall be eligible on the recommendation of the Teachers Tribunal to be appointed as a professional officer in the teaching service of Victoria; and”.
- 8 Clause 5, omit this clause.
- 9 Clause 8, lines 16 and 17, omit these lines and insert “mentioned in Schedule 2 to that Act;”.
- 10 Clause 8, lines 23 and 24, omit these lines and insert “or governing body of any institution mentioned in Schedule 2 to that Act;”.
- 11 Clause 8, lines 33 and 34, omit “(other than a university) mentioned in Schedule 1” and insert “mentioned in Schedule 2”.
- 12 Clause 8, page 19, lines 5 and 6, omit “(other than a university) mentioned in Schedule 1” and insert “mentioned in Schedule 2”.

#### NEW CLAUSES

- 13 Insert the following new clause to follow clause 4:

“AA. Where—

- (a) the Victoria Institute of Colleges may award a degree or diploma to persons who have successfully completed a course or series of courses of study at a post-secondary education institution which is one of its affiliated colleges; or
- (b) the State College of Victoria may award a degree or diploma to persons who have successfully completed a course or series of courses of study at a post-secondary education institution which is one of its constituent colleges—

and the Governor in Council pursuant to section 38 of the *Post-Secondary Education Act* 1978 confers upon the council of the institution power to award a degree or diploma which, in the opinion of the Victorian Post-Secondary Education Commission, is substantially similar to the degree or diploma which the Victoria Institute of Colleges or the State College of Victoria may award, the Governor in Council may by Order published in the *Government Gazette* direct that successful completion

of the course or series of courses of study does not make a person eligible for the award of a degree or diploma by the Victoria Institute of Colleges or the State College of Victoria (as the case may be) but instead makes a person eligible for the award of a degree or diploma by the institution."

14 Insert the following new clause to follow clause 8:

"BB. (1) In section 91B (b) of the *Motor Car Act* 1958, for the words "or at a college of advanced education affiliated with the Victoria Institute of Colleges" there shall be substituted the words "or at a post-secondary education institution mentioned in Schedule 2 to the *Post-Secondary Education Act* 1978.

(2) A certificate signed before the commencement of this section by the head of the faculty, school or department of electrical engineering or electronics at a college of advanced education affiliated with the Victoria Institute of Colleges for the purposes of section 91B of the *Motor Car Act* 1958 as in force at the time the certificate was signed shall for the purposes of section 91B of the *Motor Car Act* 1958 as amended by this section be deemed to have been signed by the head of the faculty, school or department of electrical engineering or electronics (as the case may be) at a post-secondary education institution mentioned in Schedule 2 to the *Post-Secondary Education Act* 1978."

On the motion of the Honorable A. J. Hunt, and after debate, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

30 MESSAGES FROM THE ASSEMBLY—The President announced the receipt of Messages from the Assembly returning the following Bills and acquainting the Council that they have agreed to the same without amendment:

Instruments (Powers of Attorney) Bill.

Melbourne (Yarra Park) Land Bill.

31 ADJOURNMENT—The Honorable A. J. Hunt moved, That the Council, at its rising, adjourn until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honorable Member by telegram or letter.

Question—put and resolved in the affirmative.

The Honorable A. J. Hunt moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at five minutes past One o'clock in the morning, adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honorable Member by telegram or letter.

A. R. B. McDONNELL  
Clerk of the Legislative Council





## SESSION 1979-80

MESSAGES RECEIVED AFTER THE FINAL  
ADJOURNMENT OF BOTH HOUSES AND BEFORE  
THE PROROGATION.

Messages were received from His Excellency the Governor informing the Council that he had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments, viz:—

On 13 May 1980—

Country Fire Authority (Amendment) Act  
Dog (Amendment) Act  
Home Finance (Borrowing Powers) Act  
Hospitals and Charities (Appointment of Administrators) Act  
Hospitals Superannuation (Amendment) Act  
Local Authorities Superannuation (Amendment) Act  
Local Government (Validation) Act  
Motor Car Traders (Amendment) Act  
Pensioners' Rates Remission Act  
Police Regulation (Retired Police Reserve) Act  
Professional Boxing Control (Amendment) Act  
Racing (Amendment) Act  
State Employees Retirement Benefits (Amendment) Act  
Upper Yarra Valley and Dandenong Ranges Authority (Amendment) Act  
Victorian Solar Energy Council Act  
Water (Valuation Equalization) Act

On 20 May 1980—

Archaeological and Aboriginal Relics Preservation (Amendment) Act  
Baker Medical Research Institute Act  
Building Societies (Amendment) Act  
Constitutional Powers (Request) Act  
Epworth Hospital Act  
Forests (Amendment) Act  
Forests (Further Amendment) Act  
Friendly Societies (Benefits) Act  
Geelong Performing Arts Centre Trust Act  
Imperial Law Re-enactment Act  
Instruments (Powers of Attorney) Act  
Legal Profession Practice (Leo Cussen Institute) Act  
Liquified Petroleum Gas Subsidy Act  
Local Government (General Amendment) Act  
Magistrates' Courts (Jurisdiction) Act  
Melbourne (Yarra Park) Land Act  
Motor Registration Act  
Post-Secondary Education (Amendment) Act  
Protection of Animals (Amendment) Act  
Revocation and Excision of Crown Reservations Act

Sale of Land (Deposits) Act  
Stamps (Amendment) Act  
Town and Country Planning (Amalgamation) Act  
Transport (Road Funds) Act  
Wodonga Area Land Acquisition (Validation) Act

On 27 May 1980—

Estate Agents Act  
Imperial Acts Application Act  
Statute Law Revision Act



# Victoria Government Gazette

No. 71—Tuesday, 26 August 1980

PROROGUING PARLIAMENT AND FIXING THE TIME  
FOR HOLDING SECOND SESSION OF THE  
FORTY-EIGHTH PARLIAMENT OF VICTORIA

PROCLAMATION

By His Excellency the Governor of the State of Victoria  
and its Dependencies in the Commonwealth of Australia,  
&c., &c., &c.

Whereas the Parliament of Victoria stands adjourned until such day and hour as may be fixed by the President of the Legislative Council and the Speaker of the Legislative Assembly respectively: Now I the Governor of the State of Victoria, in the Commonwealth of Australia, do by this my Proclamation prorogue the said Parliament of Victoria until Tuesday, 9 September 1980, and I do hereby fix Tuesday, 9 September 1980 aforesaid, at the hour of half-past two o'clock in the afternoon, as the time for the commencement and holding of the next Session of the said Parliament of Victoria, for the despatch of business, in the Parliament Houses, situate in Spring Street, in the City of Melbourne: And the Honorable the Members of Legislative Council and the Members of the Legislative Assembly are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and Seal of the State of Victoria aforesaid, at Melbourne, the twenty-sixth day of August in the year of our Lord One thousand nine hundred and eighty and in the twenty-ninth year of the reign of Her Majesty Queen Elizabeth the Second, Queen of Australia.

(L.S.)

HENRY WINNEKE

By His Excellency's Command

R. J. HAMER  
Premier

GOD SAVE THE QUEEN!



## SELECT COMMITTEES

### SESSION 1979-80

#### No. 1—COMPANY TAKE-OVERS (JOINT)

Appointed 29 May 1979

(See Act No. 7727 s. 44A)

The Hon. B. A. Chamberlain†  
J. W. Galbally\*  
R. Lawson†

The Hon. R. A. Mackenzie†  
J. W. S. Radford†  
N. B. Reid†

#### No. 2—CONSERVATION OF ENERGY RESOURCES (JOINT)

Appointed 29 May 1979

(See Act No. 8851 s. 2)

The Hon. V. T. Hauser

The Hon. J. A. Taylor  
I. B. Trayling

#### No. 3—HOUSE (JOINT)

Appointed 29 May 1979

(See Act No. 7727 s. 45)

The Hon. the President (*ex officio*)  
B. P. Dunn  
D. M. Evans

The Hon. Dr. K. J. Foley  
W. A. Landeryou  
I. B. Trayling

#### No. 4—LIBRARY (JOINT)

Appointed 6 June 1979

(See Act No. 7727 s. 36)

The Hon. the President  
D. G. Elliot\*  
D. M. Evans  
C. J. Kennedy†

The Hon. G. A. Sgro†  
N. F. Stacey  
D. G. Williams\*

#### No. 5—PRINTING

Appointed 7 March 1978

The Hon. the President  
G. A. S. Butler†  
B. P. Dunn  
D. G. Elliot\*

The Hon. R. I. Knowles  
N. F. Stacey  
K. I. Wright§

#### No. 6—PUBLIC ACCOUNTS AND EXPENDITURE REVIEW (JOINT)

Appointed 19 March 1980

(See Act No. 7727 s. 4)

The Hon. Clive Bubb  
G. A. S. Butler

The Hon. D. K. Hayward  
N. F. Stacey

## No. 7—PUBLIC BODIES REVIEW (JOINT)

Appointed 19 March 1980

(See Act No. 7727 s. 48A)

The Hon. B. A. Chamberlain Dr. K. J. Foley	The Hon. D. R. White
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## No. 8—ROAD SAFETY (JOINT)

Appointed 12 June 1979

(See Act No. 9252 s. 2)

The Hon. B. P. Dunn H. M. Hamilton	The Hon. H. A. Thomas
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No. 9—SELECT COMMITTEE ON ALLEGATIONS  
MADE IN DEBATE

Appointed 13 November 1979

The Hon. W. R. Baxter B. A. Chamberlain W. A. Landeryou	The Hon. R. J. Long Evan Walker
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## No. 10—STANDING ORDERS

Appointed 29 May 1979

The Hon. the President W. R. Baxter¶ P. D. Block¶ W. M. Campbell¶ B. A. Chamberlain	The Hon. B. P. Dunn J. W. Galbally* J. V. C. Guest W. A. Landeryou Evan Walker†
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## No. 11—STATUTE LAW REVISION (JOINT)

Appointed 29 May 1979

(See Act No. 7727 s. 37)

The Hon. Joan Coxsedgē† D. M. Evans J. V. C. Guest	The Hon. N. B. Reid J. M. Walton D. R. White*
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## No. 12—SUBORDINATE LEGISLATION (JOINT)

Appointed 29 May 1979

(See Act No. 7727 s. 41)

The Hon. D. E. Kent† D. N. Saltmarsh	The Hon. D. G. Williams*
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¶ Retired by effluxion of time 14 July 1979 and re-appointed 18 July 1979.

† Appointed 18 July 1979.

‡ Discharged 18 July 1979.

\* Retired by effluxion of time 14 July 1979.

§ Appointed 18 September 1979.

**LEGISLATIVE COUNCIL OF VICTORIA**  
**WEEKLY REPORT OF DIVISIONS IN**  
**COMMITTEE OF THE WHOLE COUNCIL**

—  
**No. 1**  
 —

**Tuesday, 3 July 1979**

No. 1.—CONSTRUCTION SAFETY BILL—Clause 1.

(1) This Act may be cited as the *Construction Safety Act 1979*.

(2) The several provisions of this Act shall come into operation on a day or the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*.

(3) This Act is divided into Parts and Divisions as follows:

Part I.—Preliminary.

Part II.—Scaffolding.

Part III.—Machinery Used in Building and Construction Work.

Part IV.—General

Division 1.—Offences and Proceedings.

Division 2.—Reporting of Accidents.

Division 3.—Inspection.

Division 4.—Regulations.

—(*Hon. Haddon Storey*)

Question—That clause 1 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 19

The Hon. W. R. Baxter  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 S. E. Gleeson (*Teller*)  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest (*Teller*)  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr. R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey

Noes, 7

The Hon. R. J. Eddy (*Teller*)  
 D. G. Elliot  
 W. A. Landeryou  
 I. B. Trayling (*Teller*)  
 J. M. Walton  
 D. R. White  
 D. G. Williams

And so it was resolved in the affirmative.

No. 2.—CONSTRUCTION SAFETY BILL—Clause 3.

(1) In this Act unless inconsistent with the context or subject-matter—  
 “Board” means the Board of Examiners constituted under Part II.



“Building and construction work” means any work for or in relation to carrying out the construction reconstruction renovation alteration demolition or maintenance of or of repairs to any of the following:

- (a) Buildings;
- (b) Roads railways or other works for the passage of persons animals or vehicles;
- (c) Breakwaters docks jetties piers wharves or works for the improvement or alteration of any harbor river or watercourse for the purposes of navigation;
- (d) Works for the storage or supply of water or for the irrigation of land;
- (e) Works for the conveyance treatment or disposal of sewage or the effluent from any premises;
- (f) Bridges viaducts aqueducts or caissons;
- (g) Chimney stacks cooling towers drilling rigs gas holders or silos;
- (h) Pipelines;
- (i) Structures fixtures or works for the use of any buildings or works of a kind referred to in paragraphs (a) to (h) inclusive;
- (j) Navigational lights beacons or markers;
- (k) Works for the drainage of land;
- (l) Works for the storage of liquids (other than water) or of gases;
- (m) Works for the transmission of electric power;
- (n) Works for the transmission of wireless or telegraphic communications;
- (o) Pile-driving works; and
- (p) Works for the preparation of sites for any buildings or other works of a kind referred to in paragraphs (a) to (o) inclusive.

“Chief Inspector” means the Chief Inspector of Construction Safety appointed under this Act.

“Compressed air work” means building and construction work done by a person while breathing a gas or a mixture of gases at a greater pressure than atmospheric pressure.

“Committee” means the Construction Safety Advisory Committee constituted under this Act.

“Contractor” in relation to building and construction work means any principal contractor for that work or, where there is no principal contractor, the occupier of the premises or place at which the work is carried out.

“Council” means the council of a municipality.

“Gear” in relation to building and construction work and scaffolding means—

- (a) any ladder plank rope fastening hoist-block pulley hanger sling or brace; and
- (b) any other portable contrivance that is declared by the regulations to be gear for the purposes of this Act.

“Inspector” means—

- (a) in relation to building and construction work any inspector appointed or deemed to be appointed under this Act; and
- (b) in relation to scaffolding—
  - (i) the Supervisor of Scaffolding Inspection appointed under this Act and any Assistant Supervisor of Scaffolding Inspection appointed under this Act;

- (ii) any inspector appointed or deemed to be appointed under this Act;
- (iii) a municipal scaffolding inspector; and
- (iv) an officer authorized to exercise and perform the powers duties and functions of an inspector by a body directed by the Minister under this Act to enforce any of the provisions of this Act and the regulations in a particular area—

and includes the Chief Inspector.

“Municipal district” includes a part of a municipal district.

“Prescribed” means prescribed by this Act or the regulations.

“Proper officer” means—

- (a) in relation to a municipal district other than a municipal district referred to in Schedule 2—an officer or employé of the council of that municipal district, being an officer or employé engaged by the council to exercise and perform the powers duties and functions of a proper officer;
- (b) in relation to a municipal district referred to in Schedule 2—an officer appointed under this Part who is authorized by the Minister pursuant to Part II. to enforce any provisions of the Act and the regulations in that municipal district; and
- (c) in relation to any land that is not a municipal district or part of a municipal district and in respect of which the Minister has by notice under this Act directed a body to enforce any of the provisions of the Act and the regulations—an officer engaged by that body to exercise and perform the powers duties and functions of a proper officer.

“Regulations” means regulations under this Act.

“Scaffolding” means any structure or framework used or intended to be used to support workmen engaged in and equipment and material used in erecting demolishing altering repairing cleaning painting or carrying on any kind of work in connexion with any building structure ship or boat and includes any swinging stage ladder access way guard rail toe board and any other safeguard or any part thereof used or intended to be used for or in connexion with any such structure or framework.

“Bracket scaffolding” means scaffolding the working platform of which is or platforms of which are carried on frames attached to or supported by a permanent or temporary structure.

“Cantilever scaffolding” means scaffolding the working platform of which is or platforms of which are carried on members or frames which project from their points of support.

“Suspended scaffolding” means scaffolding the working platform of which is or platforms of which are carried by members suspended from overhead supports.

(2) A reference in this Act to cantilever scaffolding does not include the supports of suspended scaffolding.

(3) A reference in this Act to scaffolding does not include a structure or framework—

- (a) used or intended to be used in a mine as defined in paragraph (a), (b), (c) or (d) of the interpretation of “Mine” in section 369 of the *Mines Act* 1958 or in a quarry within the meaning of the *Extractive Industries Act* 1966, otherwise than in connexion with a building in that mine or quarry;

- (b) used or intended to be used in connexion with the installation of a lift within the meaning of the *Lifts and Cranes Act 1967*; or
- (c) which is a work platform attached to or used in connexion with a lift or crane within the meaning of the *Lifts and Cranes Act 1967*.

(4) The Governor in Council may by order published in the *Government Gazette* exempt a person from compliance with the provisions of this Act in respect of the performance by him of the kind of building and construction work specified in the order and so long as that order continues in force the person is exempted from compliance with the provisions of this Act in respect of the performance of that work.

(5) An order under sub-section (4)—

- (a) may be expressed to apply to a particular person or to the persons included in a class of persons;
- (b) may specify the period during which the order shall remain in force; and
- (c) may be made subject to such conditions as are specified in the order including conditions restricting or limiting the performance of the kind of building and construction work specified in the order by that person or those persons.

(6) The Governor in Council may by order published in the *Government Gazette* revoke or vary an order made under sub-section (4).

(7) Where an order under sub-section (4) is made subject to conditions, a person to whom the order applies shall comply with those conditions.

(8) Where an act or enactment mentioned in Schedule 3 or a regulation made under such act or enactment makes express provision in respect of any matter or thing, and this Act or the regulations include an express provision in respect of that matter or thing, the express provisions in this Act or the regulations shall not apply to or in respect of the matter or thing.

(9) A reference in Schedule 2 to a municipal district shall be read and construed as including a reference to that municipal district as constituted from time to time.

—(Hon. Haddon Storey)

Question—That clause 3 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 19

The Hon. W. R. Baxter  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward (*Teller*)

Noes, 8

The Hon. R. J. Eddy  
 D. G. Elliot  
 W. A. Landeryou  
 H. A. Thomas (*Teller*)  
 I. B. Trayling  
 J. M. Walton  
 D. R. White (*Teller*)  
 D. G. Williams

And so it was resolved in the affirmative.

## No. 3.—CONSTRUCTION SAFETY BILL—Clause 6.

- (1) The Minister may—
- (a) delegate all or any of his powers authorities or functions under this Act or the regulations (except this power of delegation); and
  - (b) vary or revoke a delegation given by him.
- (2) The Chief Inspector may—
- (a) delegate all or any of his powers authorities or functions under this Act or the regulations (except this power of delegation); and
  - (b) vary or revoke a delegation given by him.
- (3) A power authority or function delegated under sub-section (1) or sub-section (2) may be exercised or performed by the delegate—
- (a) in accordance with the instrument of delegation ; and
  - (b) if the exercise of the power or authority or the performance of the function is dependent upon the opinion, belief or state of mind of the person by whom the delegation was given in respect of a matter—upon the opinion belief or state of mind of the delegate in respect of that matter.
- (4) A delegation under this section does not prevent the exercise of a power or authority or the performance of a function by the person by whom the delegation was given.
- (5) A copy of each instrument by which a delegation under this section is made revoked or varied shall be published in the *Government Gazette*.

—(Hon. Haddon Storey

Question—That clause 6 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 21

The Hon. W. R. Baxter  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr. R. W. Howard (*Teller*)  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. J. Long  
 S. R. McDonald  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward

Noes, 8

The Hon. R. J. Eddy (*Teller*)  
 D. G. Elliot  
 W. A. Landeryou  
 H. A. Thomas  
 I. B. Trayling  
 J. M. Walton  
 D. R. White  
 D. G. Williams (*Teller*)

And so it was resolved in the affirmative.

## No. 4.—CONSTRUCTION SAFETY BILL—Clause 7.

\* \* \* \* \*

(2) The Committee shall consist of not more than ten members appointed by the Minister of whom—

\* \* \* \* \*

(c) two shall be persons who are in the Minister's opinion able to express the interests of persons employed by employers to perform building and construction work selected by the Minister after consultation with such body or bodies of persons as the Minister thinks represent those interests.

\* \* \* \* \*

—(Hon. Haddon Storey)

Amendment proposed—That paragraph (c) in sub-clause (2) be omitted with the view of inserting in place thereof—

“(c) two shall be persons nominated by the Victorian Trades Hall Council;”

—(Hon. W. A. Landeryou)

Question—That the expression proposed to be omitted stand part of the clause—put.  
Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 21

The Hon. W. R. Baxter  
D. G. Crozier  
B. P. Dunn  
D. M. Evans (*Teller*)  
S. E. Gleeson  
F. J. Granter  
F. S. Grimwade  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
W. V. Houghton  
Dr. R. W. Howard (*Teller*)  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. J. Long  
S. R. McDonald  
N. B. Reid  
N. F. Stacey  
Haddon Storey  
H. R. Ward

Noes, 8

The Hon. R. J. Eddy (*Teller*)  
D. G. Elliot  
W. A. Landeryou  
H. A. Thomas  
I. B. Trayling  
J. M. Walton  
D. R. White  
D. G. Williams (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

## No. 5.—CONSTRUCTION SAFETY BILL—Clause 10.

The contractor for the erection demolition alteration repair or other work in connexion with a building structure ship or boat shall, where that work is of a kind which could not be done from the ground or from a structure of a kind known as solid construction, ensure that—

(a) scaffolding; or

(b) any apparatus or contrivance that complies with the provisions of the *Lifts and Cranes Act 1967* and the regulations made thereunder—

is provided for the use of any person engaged in that work, and the employer of such person shall ensure that the scaffolding apparatus or contrivance is maintained in an efficient state and is used by his employé.

—(Hon. Haddon Storey)

Amendment proposed—That the words “for the specific scaffolding apparatus or contrivance on the particular site” be inserted after the word “thereunder” in paragraph (b).

—(Hon. W. A. Landeryou)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 8

The Hon. R. J. Eddy (*Teller*)  
D. G. Elliot  
W. A. Landeryou  
H. A. Thomas  
I. B. Trayling  
J. M. Walton  
D. R. White  
D. G. Williams (*Teller*)

Noes, 21

The Hon. W. R. Baxter  
D. G. Crozier  
B. P. Dunn  
D. M. Evans (*Teller*)  
S. E. Gleeson  
F. J. Granter  
F. S. Grimwade  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
W. V. Houghton  
Dr. R. W. Howard (*Teller*)  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. J. Long  
S. R. McDonald  
N. B. Reid  
N. F. Stacey  
Haddon Storey  
H. R. Ward

And so it passed in the negative.

## Wednesday, 4 July 1979

No. 6.—BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—Clause 7.

(1) The fees to be paid for licences issued under this Act shall be as follows:

(a) For a petroleum wholesalers' licence a fee of \$50 together with an amount of 4·5 per centum of the value of motor spirit and 7·1 per centum of the value of diesel fuel sold for use only in propelling diesel engined road vehicles on roads by the applicant in the course of intrastate trade in the relevant period (other than petroleum products purchased from the holder of a petroleum wholesalers' licence or a group petroleum wholesalers licence);

\* \* \* \* \*

—(*Hon. D. G. Crozier*)

Motion made and question put—That it be a suggestion to the Assembly that they make the following amendment in the Bill, viz :

Clause 7 (1) (a), omit "4·5" and insert "2".

—(*Hon. B. P. Dunn*)

The Committee divided—The Hon. R. J. Long in the Chair.

Ayes, 11

The Hon. W. R. Baxter  
B. P. Dunn  
R. J. Eddy  
D. G. Elliot (*Teller*)  
D. M. Evans (*Teller*)  
W. A. Landeryou  
S. R. McDonald  
H. A. Thomas  
J. M. Walton  
D. R. White  
D. G. Williams

Noes, 13

The Hon. D. G. Crozier  
S. E. Gleeson (*Teller*)  
F. J. Granter  
F. S. Grimwade  
J. V. C. Guest  
W. V. Houghton  
Dr. R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
N. B. Reid (*Teller*)  
N. F. Stacey  
Haddon Storey  
H. R. Ward

And so it passed in the negative.

No. 7.—BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—Clause 11.

(1) There shall be established and kept in the Treasury in the Public Account as part of the Trust Fund a trust account to be called "The Roads and Special Projects Fund" in this section called "the Fund".

\* \* \* \* \*

—(Hon. D. G. Crozier)

Motion made and question put—That it be a suggestion to the Assembly that they make the following amendment in the Bill, viz :

Clause 11 (1), omit "and Special Projects".

—(Hon. B. P. Dunn)

Committee divided—The Hon. R. J. Long in the Chair.

Ayes, 12

The Hon. W. R. Baxter  
B. P. Dunn  
R. J. Eddy  
D. G. Elliot  
D. M. Evans  
W. A. Landeryou  
S. R. McDonald (*Teller*)  
H. A. Thomas  
I. B. Trayling  
J. M. Walton  
D. R. White  
D. G. Williams (*Teller*)

Noes, 14

The Hon. D. G. Crozier  
S. E. Gleeson  
F. J. Granter  
F. S. Grimwade  
J. V. C. Guest  
W. V. Houghton  
Dr. R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
N. B. Reid  
N. F. Stacey (*Teller*)  
Haddon Storey  
H. R. Ward (*Teller*)

And so it passed in the negative.

No. 8.—BUSINESS FRANCHISE (PETROLEUM PRODUCTS) BILL—Clause 11.

\* \* \* \* \*

(3) Subject to sub-section (4) the amount standing to the credit of the Fund shall from time to time be paid to the Country Roads Board Fund and to the Transport Fund in such proportions as is determined by the Minister of Transport."

\* \* \* \* \*

—(Hon. D. G. Crozier)

Motion made and question put—that it be a suggestion to the Assembly that they make the following amendment in the Bill, viz :

Clause 11 (3), omit "Subject to sub-section (4)".

—(Hon. B. P. Dunn)

Committee divided—The Hon. R. J. Long in the Chair.

Ayes, 12

The Hon. W. R. Baxter  
B. P. Dunn  
R. J. Eddy  
D. G. Elliot  
D. M. Evans  
W. A. Landeryou  
S. R. McDonald  
H. A. Thomas  
I. B. Trayling  
J. M. Walton (*Teller*)  
D. R. White (*Teller*)  
D. G. Williams

Noes, 14

The Hon. D. G. Crozier  
S. E. Gleeson  
F. J. Granter  
F. S. Grimwade (*Teller*)  
J. V. C. Guest (*Teller*)  
W. V. Houghton  
Dr. R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
N. B. Reid  
N. F. Stacey  
Haddon Storey  
H. R. Ward

And so it passed in the negative.

## Thursday, 5 July 1979

### No. 9.—MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL—Clause 2.

In section 41 of the Principal Act for the words and expressions commencing with the words "Subject to the provisions hereinafter" and ending at the end of the first paragraph there shall be substituted the following words and expressions:

"The Board shall appoint a secretary who shall be the principal officer of the Board.

With the approval of the Minister the secretary to the Board may in the case of the illness suspension or absence of the Chairman of the Board have and exercise the powers and perform the functions and duties of such Chairman save and except that the secretary to the Board shall not be entitled to sit as a member of the Board or to vote upon any question at any meeting of the Board or to receive additional remuneration for having and exercising such powers and performing such functions and duties.

In addition to the secretary to the Board the Board may appoint a treasurer and appoint or employ such engineers surveyors collectors and other officers servants and persons to assist in the execution of this Act as the Board thinks necessary or proper, and such persons shall hold office during pleasure only."

—(*Hon. F. J. Granter*)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. R. J. Long in the Chair.

Ayes, 17

The Hon. B. P. Dunn  
 D. M. Evans  
 S. E. Gleeson  
 F. J. Granter  
 F. S. Grimwade (*Teller*)  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 S. R. McDonald (*Teller*)  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey

Noes, 8

The Hon. R. J. Eddy (*Teller*)  
 D. G. Elliot (*Teller*)  
 W. A. Landeryou  
 H. A. Thomas  
 I. B. Trayling  
 J. M. Walton  
 D. R. White  
 D. G. Williams

And so it was resolved in the affirmative.





**LEGISLATIVE COUNCIL OF VICTORIA**  
**WEEKLY REPORT OF DIVISIONS IN**  
**COMMITTEE OF THE WHOLE COUNCIL**

—  
**No. 2**  
 —

**Tuesday, 25 September 1979**

No. 1.—SEWERAGE AUTHORITIES (CONSTITUTION AND POWERS) BILL—Clause 4.

(1) Section 81 (1) of the Principal Act is amended as follows:

- (a) After the word “structure” (where first occurring) there shall be inserted the words “or has obtained an advance from the depreciation account in respect of the purchase or construction of approved works”;
- (b) After the words “Loan Fund” (where secondly occurring) there shall be inserted the words “or on account of any advance from the depreciation account”; and
- (c) After the word “structure” (where secondly and thirdly occurring) there shall be inserted the words “or approved works”.

(2) In section 81 (2) of the Principal Act—

- (a) in paragraph (b) after the word “bank” (where secondly occurring) there shall be inserted the words “or, with the prior consent of the Minister, applied by way of advance towards the payment of the cost of the purchase or construction of any approved works”; and
- (b) after the word “structure” (where twice occurring) there shall be inserted the words “or approved works”.

(3) After section 81 (2) of the Principal Act there shall be inserted the following sub-sections:

“(2A) Before or during the purchase or construction of any works under this Act, the Minister may declare the works to be approved works for the purposes of this section.

(2B) An advance made out of the depreciation account pursuant to paragraph (b) of sub-section (2) shall be made subject to such conditions (including conditions as to the rate and payment of interest in respect of the principal moneys advanced and the repayment to the depreciation account of the principal moneys advanced) as the Minister from time to time determines.”

(4) In section 82 (1) of the Principal Act after the word “debentures” there shall be inserted the words “or from the depreciation account”.

—(Hon. F. J. Granter)

Question—That clause 4 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

Noes, 13

The Hon. W. R. Baxter  
 H. G. Baylor (*Teller*)  
 P. D. Block (*Teller*)  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn

The Hon. G. A. S. Butler (*Teller*)  
 Joan Coxsedge  
 R. J. Eddy (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie

D. M. Evans  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 D. K. Hayward  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.

NO. 2—WATER AUTHORITIES (CONSTITUTION AND POWERS) BILL—Clause 5.

(1) Section 285 of the Principal Act is amended as follows:

- (a) For the expression “285. When” there shall be substituted the expression “285. (1) When”;
- (b) After the word “structure” (where first occurring) there shall be inserted the words “or has obtained an advance from the depreciation account in respect of the purchase or construction of approved works”;
- (c) After the words “sinking fund” there shall be inserted the words “or to be paid on account of any advance from the depreciation account”;
- (d) After the word “structure” (where secondly, thirdly, fourthly and fifthly occurring) there shall be inserted the words “or approved works”;
- (e) In paragraph (b) after the word “bank” (where secondly occurring) there shall be inserted the expression “or, with the prior consent of the Minister, applied by way of advance towards the payment of the cost of the purchase or construction of any approved works”; and
- (f) At the end of the section there shall be inserted the following expression:  
 “(2) Before or during the purchase or construction of any works under this Act, the Minister may declare the works to be approved works for the purposes of this section.

(3) An advance made out of the depreciation account pursuant to paragraph (b) of sub-section (1) shall be made subject to such conditions (including conditions as to the rate and payment of interest in respect of the principal moneys advanced and the repayment to the depreciation account of the principal moneys advanced) as the Minister from time to time determines.”

(2) In section 305 (1) of the Principal Act after the word “debentures” there shall be inserted the words “or advanced from the depreciation account”.

—(Hon. F. J. Granter)

Question—That clause 5 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 29

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor (*Teller*)  
 H. R. Ward  
 K. I. Wright (*Teller*)

Noes, 13

The Hon. G. A. S. Butler  
 Joan Cossedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White (*Teller*)

And so it was resolved in the affirmative.



LEGISLATIVE COUNCIL OF VICTORIA  
 WEEKLY REPORT OF DIVISIONS IN  
 COMMITTEE OF THE WHOLE COUNCIL

No. 3

Tuesday, 30 October 1979

No. 1.—VICTORIAN FISHING INDUSTRY COUNCIL BILL—Clause 2.

In this Act unless inconsistent with the context or subject-matter—  
 “Council” means the Victorian Fishing Industry Council established pursuant  
 to this Act.

—(*Hon. W. V. Houghton*)

Amendment proposed—That the following interpretation be inserted after the  
 interpretation of “Council”:

‘“Minister” means the Minister of Agriculture.’

—(*Hon. E. H. Walker*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. R. J. Long in the Chair.

Ayes, 16

The Hon. W. R. Baxter  
 G. A. S. Butler  
 Joan Coxsedg (*Teller*)  
 B. P. Dunn  
 R. J. Eddy  
 D. M. Evans (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White  
 K. I. Wright

Noes, 23

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb (*Teller*)  
 B. A. Chamberlain (*Teller*)  
 D. G. Crozier  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it passed in the negative.

## No. 2.—VICTORIAN FISHING INDUSTRY COUNCIL BILL—Clause 6.

(1) The Council shall consist of eleven members appointed by the Governor in Council on the nomination of the Minister.

\* \* \* \* \*

—(*Hon. W. V. Houghton*)

Amendment proposed—That the word “eleven” in sub-clause (1) be omitted with the view of inserting in place thereof the word “twelve”.

—(*Hon. E. H. Walker*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. R. J. Long in the Chair.

Ayes, 23

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 Dr. K. J. Foley (*Teller*)  
 F. J. Granter  
 J. V. C. Guest (*Teller*)  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

Noes, 16

The Hon. W. R. Baxter  
 G. A. S. Butler  
 Joan Coxsedg  
 B. P. Dunn  
 R. J. Eddy  
 D. M. Evans  
 C. J. Kennedy  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White  
 K. I. Wright (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

**LEGISLATIVE COUNCIL OF VICTORIA**  
**WEEKLY REPORT OF DIVISIONS IN**  
**COMMITTEE OF THE WHOLE COUNCIL**

—  
**No. 4**  
 —

**Wednesday, 21 November 1979**  
**(morning)**

No. 1—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Clause 1.

(1) This Act may be cited as the *Workers Compensation (Miscellaneous Provisions) Act 1979*.

(2) In this Act the *Workers Compensation Act 1958* is called the Principal Act.

(3) Sections 2, 6 and 10 shall come into operation on a day to be fixed by proclamation of the Governor in Council published in the *Government Gazette*.

(4) The several provisions of this Act (other than the provisions mentioned in sub-section (3)) shall come into operation on a day or the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*.

—(Hon. Haddon Storey)

Question—That clause 1 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser (*Teller*)  
 D. K. Hayward (*Teller*)  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

Noes, 13

The Hon. G. A. S. Butler  
 Joan Cocksedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro (*Teller*)  
 H. A. Thomas (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.



NO. 2—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Clause 2.

For sections 2B and 2C of the Principal Act there shall be substituted the following sections:

‘2B. (1) This section applies to a policy of accident insurance or indemnity operating to insure or indemnify an employer against claims under this Act.

(2) Subject to sub-sections (3) and (4), a policy shall not insure or indemnify the employer against any additional amount payable by him by virtue of the provisions of the *Workers Compensation (Amendment) Act 1975*.

(3) Where the employer is not entitled to be recompensed from the Fund for any additional amount payable by him the policy shall insure or indemnify the employer for that amount.

(4) Sub-section (3) shall not be construed as requiring an employer to be insured or indemnified in respect of any amount in respect of which an employer has elected not to be insured or indemnified pursuant to the provisions of section 72 (1) (a).

(5) In this section and in section 2c—

“Additional amount” means an amount by which the sum payable as compensation under this Act as in force immediately before 1 July 1975 in respect of an injury of a worker arising out of or in the course of the employment of the worker before 1 July 1975 is increased by virtue of a provision of the *Workers Compensation (Amendment) Act 1975*.

“Employer” means an employer who is required to obtain a policy of accident insurance or indemnity pursuant to section 72 (1) (a).

“Fund” means the Insurers Guarantee and Compensation Supplementation Fund established under Part V.

2c. (1) Where an additional amount is payable by an employer as compensation by virtue of section 2A (3), so far as it relates to rates of compensation, the employer shall, subject to sub-sections (2), (3) and (4), be entitled to be recompensed from the Fund for that additional amount.

(2) Where in pursuance of the provisions of section 72 (1) (a) an employer has elected not to be indemnified or insured in respect of the first \$500 of any claim for compensation, sub-section (1) shall not entitle him to be recompensed from the Fund in respect of that first \$500.

(3) Where in pursuance of this Act the Board has made an award with the consent of the parties to the proceedings before it and the amount of compensation awarded exceeds \$25 930, sub-section (1) shall not entitle the employer to be recompensed from the Fund in respect of the amount by which the amount awarded exceeds \$25 930.

(4) Where in pursuance of clause 1 (b) (iii) under the heading “*The Clauses Referred To*” in section 9, the Board determines that the total liability of an employer exceeds \$25 930, sub-section (1) shall not entitle the employer to be recompensed from the Fund in respect of the amount by which the total liability of the employer exceeds \$25 930.

(5) An insurer may, and shall if required by the Treasurer of Victoria to do so, pay on behalf of an employer any additional amount payable as compensation by virtue of section 2A (3), so far as it relates to rates of compensation.

(6) Sub-section (5) shall not be construed as permitting the Treasurer of Victoria to require an insurer to pay or the insurer to pay the first \$500 of any claim in respect of which the employer has elected not to be indemnified or insured pursuant to the provisions of section 72 (1) (a).

(7) Subject to sub-sections (8) and (9), where an insurer pays or is required to pay an amount under sub-section (5), the insurer shall be entitled to be recompensed from the Fund for that additional amount.

(8) Where in pursuance of this Act the Board has made an award with the consent of the parties to the proceedings before it and the amount of compensation awarded exceeds \$25 930, sub-section (7) shall not entitle the insurer to be recompensed from the Fund in respect of the amount by which the amount awarded exceeds \$25 930.

(9) Where in pursuance of clause 1 (b) (iii) under the heading "*The Clauses Referred To*" in section 9, the Board determines that the total liability of an employer exceeds \$25 930, sub-section (7) shall not entitle the insurer to be recompensed from the Fund in respect of the amount by which the total liability exceeds \$25 930.

(10) Where in respect of an injury of a worker an employer or insurer—

- (a) has been recompensed from the Fund in pursuance of sub-section (1) or sub-section (7); and
- (b) has recovered by virtue of section 62 an amount of damages in respect of that injury—

the employer or insurer shall forthwith pay into the Fund an amount equal to an amount calculated in accordance with the formula  $\frac{A \times B}{C}$  where—

- A* is the amount that has been recompensed from the Fund;
- B* is the amount recovered by virtue of section 62; and
- C* is the total amount of compensation payable under this Act.

(11) Where—

- (a) in pursuance of section 9 (2) the Board awards a lump sum in respect of an injury of a worker arising out of or in the course of the employment of the worker before 1 July 1975; and
- (b) the Board considers that the worker's total or partial incapacity for work resulting from that injury continues or will continue after 30 June 1975—

the Board shall specify—

- (c) the period of total or partial incapacity for which the award is calculated;
- (d) the weekly payment used to calculate the sum awarded for the period of total or partial incapacity ending on 30 June 1975; and
- (e) the weekly payment used to calculate the sum awarded for the period of total or partial incapacity commencing on and from 1 July 1975.

2D. (1) Subject to sub-section (2) but notwithstanding anything to the contrary in any other provision of this Act or in any rule of law or construction, the provisions of this Act as amended by section 6 of the *Workers Compensation (Miscellaneous Provisions) Act 1979* so far as they relate to the rates or amounts of compensation payable in accordance with the clauses under the heading "*The Clauses Referred To*" in section 9 in respect of an injury of a worker shall

apply with respect to every payment of compensation made on or after the commencement of this section, whether the date of the occurrence of the injury was before or is on or after the commencement of this section and irrespective of the origin of the injury or disease giving rise to the compensation, and notwithstanding the fact that compensation had accrued or was payable before the said commencement but was unpaid before that date or that—

- (a) an award for a lesser rate or amount may have been made by the Board before the said date; or
- (b) payment at a lesser rate or of a lesser amount may have been made before that date.

(2) Notwithstanding anything to the contrary in this Act or in any rule of law or construction, where the rates or amounts of compensation payable in accordance with the clauses under the heading "*The Clauses Referred To*" in section 9 in respect of an injury of a worker are increased or decreased in any year pursuant to the provisions of section 9 (3), the rates and amounts of compensation as so increased or decreased shall apply in respect of every payment of compensation accruing on or after 1 July in that year whether the date of the occurrence of the injury was before or is on or after that date and irrespective of the origin of the injury or disease giving rise to the compensation, and notwithstanding the fact that—

- (a) an award for a lesser rate or amount may have been made by the Board before that date; or
- (b) payments at a lesser rate or of a lesser amount may have been made before that date.

(3) The provisions of this Act, so far as they relate to rates or amounts of compensation payable in accordance with the clauses under the heading "*The Clauses Referred To*" in section 9 in respect of the death of a worker, shall—

- (a) where the death occurs on or after the commencement of this section—apply as amended by section 6 of the *Workers Compensation (Miscellaneous Provisions) Act 1979*; and
- (b) except as provided by paragraph (a)—continue to apply notwithstanding the commencement of section 6 of the *Workers Compensation (Miscellaneous Provisions) Act 1979* as in force immediately before the said commencement.

(4) Where the rates or amounts of compensation payable in accordance with the clauses under the heading "*The Clauses Referred To*" in section 9 in respect of the death of a worker are increased or decreased in accordance with the provisions of section 9 (3), the rates or amounts of compensation shall—

- (a) where the death occurs on or after the date of the increase or decrease—apply as so increased or decreased; and
- (b) except as provided by paragraph (a)—continue to apply notwithstanding the increase or decrease as in force immediately before the increase or decrease.

2E. (1) This section applies to a policy of accident insurance or indemnity operating to insure or indemnify an employer against claims under this Act.

(2) Subject to sub-sections (3) and (4), a policy shall not insure or indemnify the employer against any additional amount payable by him by virtue of the provisions of section 2D (1) or section 2D (2).

(3) Where the employer is not entitled to be recompensed from the Fund for any additional amount payable by him, the policy shall insure or indemnify the employer for that amount.

(4) Sub-section (3) shall not be construed as requiring an employer to be insured or indemnified in respect of an amount in respect of which an employer has elected not to be insured or indemnified pursuant to the provisions of section 72 (1) (a).

2F. (1) Where an additional amount is payable by an employer as compensation by virtue of section 2D (1) or section 2D (2) so far as it relates to rates of compensation the employer shall, subject to sub-sections (2), (3) and (4) be entitled to be recompensed from the Fund for that additional amount.

(2) Where in pursuance of section 72 (1) (a) an employer has elected not to be insured or indemnified in respect of the first \$500 for a claim of compensation, sub-section (1) shall not entitle him to be recompensed from the Fund in respect of that first \$500.

(3) Where in pursuance of this Act the Board has made an award with the consent of the parties to the proceedings before it, and the amount of the compensation awarded exceeds \$36 960, or (as the case requires) that amount as increased or decreased in accordance with the provisions of section 9 (3), sub-section (1) shall not entitle the employer to be recompensed from the Fund in respect of the amount by which the amount awarded exceeds \$36 960, or (as the case requires) that amount as increased or decreased in accordance with the provisions of section 9 (3).

(4) Where, in pursuance of clause 1 (b) (iii) under the heading "*The Clauses Referred To*" in section 9 the Board determines that the total liability of an employer exceeds \$36 960, or (as the case requires) that amount as increased or decreased in accordance with section 9 (3), sub-section (1) shall not entitle the employer to be recompensed from the Fund in respect of the amount by which the total liability of the employer exceeds \$36 960 or (as the case requires) that amount as increased or decreased in accordance with section 9 (3).

2G. (1) An insurer may, and shall, if required by the Treasurer of Victoria to do so, pay on behalf of an employer any additional amount payable as compensation by virtue of section 2D (1) or section 2D (2), so far as it relates to rates of compensation.

(2) Sub-section (1) shall not be construed as permitting the Treasurer of Victoria to require an insurer to pay or the insurer to pay the first \$500 of any claim in respect of which the employer has elected not to be insured or indemnified pursuant to the provisions of section 72 (1) (a).

(3) Subject to sub-sections (4) and (5), where an insurer pays or is required to pay an amount under sub-section (1), the insurer shall be entitled to be recompensed for that additional amount from the Fund.

(4) Where in pursuance of this Act the Board has made an award with the consent of the parties to the proceedings before it and the amount of compensation awarded exceeds \$36 960, or (as the case requires) that amount as increased or decreased in accordance with the provisions of section 9 (3), sub-section (3) shall not entitle the insurer to be recompensed from the Fund in respect of the amount by which the amount awarded exceeds \$36 960, or (as the case requires) that amount as increased or decreased in accordance with the provisions of section 9 (3).

(5) Where, in pursuance of clause 1 (b) (iii) under the heading "*The Clauses Referred To*" in section 9, the Board determines that the total liability of an employer exceeds \$36 960, or (as the case requires) that amount as increased or decreased in accordance with section 9 (3), sub-section (3) shall not entitle the insurer to be recompensed from the Fund in respect of the amount by which the total liability of the employer exceeds \$36 960 or (as the case requires) that amount as increased or decreased in accordance with section 9 (3).

2H. Where in respect of an injury of a worker an employer or insurer—

- (a) has been recompensed from the Fund in pursuance of section 2F (1) or section 2G (3); and
- (b) has recovered, by virtue of section 62, an amount of damages in respect of that injury—

the employer or insurer shall forthwith pay into the Fund an amount equal to an amount calculated in accordance with the formula

$\frac{A \times B}{C}$  where—

*A* is the amount that has been recompensed from the Fund;

*B* is the amount recovered by virtue of section 62; and

*C* is the total amount of compensation payable under this Act.

2J. (1) Where—

- (a) in pursuance of section 9 (2) the Board awards a lump sum in respect of an injury of a worker arising out of or in the course of the employment of the worker before the commencement of this section; and
- (b) the Board considers that the worker's total or partial incapacity for work resulting from that injury will continue on and after the commencement of this section—

the Board shall specify—

- (c) the period of total or partial incapacity for which the award is calculated;
- (d) the weekly payment used to calculate the sum awarded for the period of total or partial incapacity ending immediately before the commencement of this section; and
- (e) the weekly payment used to calculate the sum awarded for the period of total or partial incapacity commencing on and from the commencement of this section.

(2) Where—

- (a) the rates or amounts of compensation payable in accordance with the clauses under the heading "*The Clauses Referred To*" in section 9 are increased or decreased in accordance with the provisions of section 9 (3);
- (b) in pursuance of section 9 (2) the Board awards a lump sum in respect of an injury of a worker arising out of or in the course of the employment of the worker before the date on which the rates or amounts of compensation are increased or decreased; and
- (c) the Board considers that the worker's total or partial incapacity for work resulting from that injury will continue on and after the date of the increase or decrease—

the Board shall specify—

- (d) the period of total or partial incapacity for which the award is calculated;

- (e) the weekly payment used to calculate the sum awarded for the period of total or partial incapacity ending immediately before the date of the increase or decrease; and
- (f) the weekly payment used to calculate the sum awarded for the period of total or partial incapacity commencing on and from the date of the increase or decrease.

2k. An employer is not guilty of an offence against the provisions of section 72 (1) (a) by reason only of the fact that a policy of accident insurance or indemnity obtained by him does not insure or indemnify him in respect of an additional amount within the meaning of section 2L or section 2B (5) if the amount is an amount in respect of which the employer or the insurer is entitled to be recompensed from the Insurers Guarantee and Compensation Supplementation Fund or the Workers Supplementation Fund.

2L. In sections 2E to 2J inclusive—

“Additional amount” means—

- (a) in relation to any increase in the rates or amounts of compensation by virtue of the provisions of section 2D (1)—an amount by which the sum payable as compensation under this Act as in force immediately before the commencement of this section in respect of an injury of a worker arising out of or in the course of the employment of the worker before the said commencement is increased by virtue of the provisions of section 2D (1); and
- (b) in relation to any increase in the rates or amounts of compensation by virtue of the provisions of section 2D (2)—an amount by which the sum payable as compensation under this Act as in force immediately before the date of the increase in respect of an injury of a worker arising out of or in the course of the employment of the worker before that date is increased by virtue of the provisions of section 2D (2).

“Employer” means an employer who is required to obtain a policy of accident insurance or indemnity pursuant to section 72 (1) (a).

“Fund” means the Workers Supplementation Fund established under Part VI.’.

—(Hon. Haddon Storey)

Motion proposed—That the Chairman do report progress and ask leave to sit again.

—(Hon. W. A. Landeryou)

Question—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 12

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White

Noes, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 D. K. Hayward

W. V. Houghton  
 Dr. R. W. Howard (*Teller*)  
 Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it passed in the negative.

No. 3.—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Clause 2.

(For text see Division No. 2)

—(*Hon. Haddon Storey*).

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson (*Teller*)  
 R. J. Long (*Teller*)  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

Noes, 12

The Hon. G. A. S. Butler (*Teller*)  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White (*Teller*)

And so it was resolved in the affirmative.

No. 4.—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Clause 3.

(1) Section 3 (1) of the Principal Act is amended as follows:

- (a) In the interpretation of “disease” after the word “acceleration” there shall be inserted the word “exacerbation”; and  
 (b) For the interpretation of “injury” there shall be substituted the following interpretation:

“Injury” means any physical or mental injury, and without limiting the generality of the foregoing includes—

- (a) a disease contracted by a worker in the course of his employment whether at or away from his place of employment and to which the employment contributed substantially; and

- (b) the recurrence, aggravation, acceleration, exacerbation or deterioration of any pre-existing injury or disease where the employment contributed substantially to that recurrence, aggravation, acceleration, exacerbation or deterioration—

and for the purposes of this interpretation the employment of a worker shall be taken to include any travelling referred to in section 8 (2).’.

(2) The interpretation of “injury” in section 3 (1) of the Principal Act shall—

- (a) where the injury occurs on or after the commencement of this section—apply as amended by this section; and
- (b) except as provided by paragraph (a)—continue to apply notwithstanding the commencement of this section as in force immediately before the said commencement.

—(Hon. Haddon Storey)

Question—That clause 3 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans (*Teller*)  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr R. W. Howard  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford (*Teller*)  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
J. A. Taylor  
H. R. Ward

Noes, 12

The Hon. G. A. S. Butler  
Joan Cocksedge  
R. J. Eddy (*Teller*)  
C. J. Kennedy  
D. E. Kent (*Teller*)  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

And so it was resolved in the affirmative.

No. 5.—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Clause 4.

(1) Section 3 of the Principal Act is amended as follows:

- (a) For the expression “(7A)” (where secondly occurring) there shall be substituted the expression “(7C)”;
- (b) For the expression “(7B) The employer of a pupil pursuant to an arrangement referred to in sub-section (1)” there shall be substituted the expression “(7D) The employer of a pupil employed pursuant to an arrangement referred to in sub-section (7C)”;
- (c) For the expression “(7C)” there shall be substituted the expression “(7E)”;



- (d) For the expression “deemed to be held by employers under sub-section (2)” there shall be substituted the expression “deemed to be held by employers under sub-section (7D)”.

(2) After section 3 (7E) of the Principal Act there shall be inserted the following sub-sections:

(7F) The employer of an apprentice shall in respect of—

- (a) any liability to pay compensation under this Act in respect of injury occurring to the apprentice during the period of indemnity; and  
 (b) any other liability to pay damages in respect of the death of or personal injury to the apprentice, being death or injury that occurs during the period of indemnity, in circumstances arising out of such employment—

be deemed to hold a policy of insurance with the Insurance Commissioner for the full amount of that liability but otherwise having the same provisions as the provisions of policies issued by the Insurance Commissioner to employers obtaining policies from him in accordance with section 72 (1) (a).

(7G) The Minister shall from time to time enter into arrangements with the Insurance Commissioner with respect to the cost of providing indemnity to employers in accordance with policies deemed to be held by employers pursuant to sub-section (7F).

(7H) An employer who is deemed by sub-section (7F) to hold a policy shall not, in respect of any apprentice for the time being indemnified under the policy, be guilty of an offence against this Act by reason only of the fact that he has not obtained a policy of accident insurance or indemnity in respect of that apprentice and in respect of that period of indemnity.

(7J) An insurer (other than the Insurance Commissioner) shall not be subject to any civil or criminal liability by reason only of the fact that he fails in whole or in part to satisfy any claim made in respect of an apprentice, where the claim is one in respect of which the employer is indemnified under a policy deemed to be held under sub-section (7F).

(7K) An employer of any apprentice in respect of whom sub-section (7F) applies shall before the expiration of fourteen days after 30 June in each year furnish in writing to the Insurance Commissioner such information as is prescribed in relation to wages paid to any apprentice or apprentices, in respect of whom sub-section (7F) applies, employed by him during the period of twelve months ended on 30 June in that year.

(7M) An employer who contravenes or fails to comply with the provisions of sub-section (7K) is guilty of an offence against this Act.

(7N) In sub-sections (7F), (7G), (7H), (7J) and (7K), “Apprentice” means—

- (a) an applicant for apprenticeship within the meaning of the *Industrial Training Act 1975* who was employed on probation on 1 January 1979;  
 (b) an apprentice within the meaning of the *Industrial Training Act 1975* whose indentures of apprenticeship were executed by his employer on 1 January 1979;  
 (c) an applicant for apprenticeship within the meaning of the *Industrial Training Act 1975* or an apprentice within the meaning of that Act, being an applicant or apprentice who commenced or commences employment as an apprentice (whether on probation or not) after 1 January 1979; and

- (d) an applicant for apprenticeship within the meaning of the *Industrial Training Act 1975* or an apprentice within the meaning of that Act, being an applicant or apprentice whose employment commenced or commences before, on or after the commencement of section 4 of the *Workers Compensation (Miscellaneous Provisions) Act 1979*.

(7P) For the purposes of sub-sections (7F), (7G), (7H), (7J) and (7K), the period of indemnity—

- (a) in relation to a person to whom paragraph (a) or paragraph (b) of the interpretation of “apprentice” in sub-section (7N) applies—is the period of twelve months commencing on 1 January 1979;
- (b) In relation to a person to whom paragraph (c) of the interpretation of “apprentice” in sub-section (7N) applies—is the period of twelve months commencing on the day on which the person commenced or commences employment as an apprentice; and
- (c) in relation to a person to whom paragraph (d) of the interpretation of “apprentice” in sub-section (7N) applies—is the period falling on or after the commencement of section 4 of the *Workers Compensation (Miscellaneous Provisions) Act 1979* excluding any period of indemnity applicable in respect of the apprentice under paragraph (a), (b) or (c) during which the apprentice is travelling between his place of residence or place of employment and any trade, technical or other training school which he is required to attend as an apprentice or is in attendance at any such school.

(7Q) Notwithstanding anything to the contrary in the *State Insurance Office Act 1975*, the Insurance Commissioner shall be and be deemed always to have been authorized to make payments out of the State Insurance Fund in respect of the amount of—

- (a) any liability of the employer to pay compensation under this Act in respect of injury occurring to an apprentice within the meaning of paragraph (a), (b) or (c) of the interpretation of “apprentice” in sub-section (7N) during the period commencing on 1 January 1979 and ended immediately prior to the commencement of section 4 of the *Workers Compensation (Miscellaneous Provisions) Act 1979*;
- (b) any other liability of the employer to pay damages in respect of the death of or personal injury to an apprentice mentioned in paragraph (a), being death or injury that occurred during the period commencing on 1 January 1979 and ending immediately prior to the commencement of section 4 of the *Workers Compensation (Miscellaneous Provisions) Act 1979* in circumstances arising out of the employment of the apprentice; and
- (c) any administrative or other expenses incurred by the Insurance Commissioner in discharging any liability mentioned in paragraph (a) or paragraph (b).

(7R) There shall be paid out of the Consolidated Fund (which is hereby to the necessary extent appropriated accordingly) in such sums and at such times as the Treasurer of Victoria directs any amount or amounts necessary to reimburse the Insurance Commissioner for such payments out of the State Insurance Fund as are mentioned in sub-section (7Q).

(7s) Notwithstanding anything to the contrary in this Act or the regulations or in any policy of accident insurance or indemnity, the following provisions shall apply to every policy of accident insurance or indemnity operating to insure or indemnify an employer against claims under this Act and against

any other liability of the employer to pay damages in respect of the death of or personal injury to a worker in circumstances arising out of the employment of the worker:

- (a) The policy shall not insure or indemnify and shall be deemed never to have insured or indemnified the employer for any claim in respect of which—
- (i) the employer is deemed to hold a policy with the Insurance Commissioner under sub-section (7F); or
  - (ii) any payment mentioned in sub-section (7Q) has been made from the State Insurance Fund by the Insurance Commissioner to the employer; and
- (b) a premium is not and shall be deemed never to have been payable in respect of an apprentice within the meaning of paragraph (a), (b) or (c) of the interpretation of “apprentice” in sub-section (7N) for the appropriate period of indemnity under sub-section (7P).’.

(3) After section 73 (1) (d) of the Principal Act there shall be inserted the following paragraphs:

“(da) for prescribing the form of and the information to be contained in statements under section 3 (7K) and the method for determining the amount of wages, particulars of which are to be included in those statements;

(da) for the refund by or recovery from insurance of money paid in circumstances in which no premium is or was payable by virtue of the provisions of section 3 (7s) (b);”.

—(Hon. Haddon Storey)

Question—That clause 4 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh (Teller)  
 N. F. Stacey (Teller)  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

Noes, 12

The Hon. G. A. S. Butler  
 Joan Coxsedg (Teller)  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro (Teller)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.

No. 6.—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Clause 5.

(1) At the end of section 8 (2) of the Principal Act there shall be inserted the following sub-sections:

“(2A) Where—

- (a) an employer is required under this Act in respect of the death or injury of a worker (being death or injury that was caused by or arose out of the use of a motor car in Victoria while the worker was travelling on a journey referred to in paragraph (b) of sub-section (2)) to pay an amount of compensation;
- (b) the amount or any part of the amount so payable is not an amount in respect of which the employer is insured or indemnified under the terms of a policy of accident insurance or indemnity; and
- (c) the Motor Accidents Board would, if no compensation were payable under this Act in respect of the death or injury, have been liable to make payments in respect of the death or injury under the *Motor Accidents Act 1973*—

the Motor Accidents Board shall, notwithstanding anything to the contrary in section 15 or section 59 or in any other provision of the *Motor Accidents Act 1973*, be liable to make payment to the employer in accordance with sub-section (2c).

(2B) Where—

- (a) an insurer is required under a policy of accident insurance or indemnity to indemnify or insure an employer in respect of the amount or any part of the amount of the employer's liability to pay compensation under this Act in respect of the death or injury of a worker (being death or injury that was caused by or arose out of the use of a motor car in Victoria while the worker was travelling on a journey referred to in paragraph (b) of sub-section (2)); and
- (b) the Motor Accidents Board would, if no compensation were payable under this Act in respect of the death or injury, have been liable to make payments in respect of the death or injury under the *Motor Accidents Act 1973*—

the Motor Accidents Board shall, notwithstanding anything to the contrary in section 15 or section 59 or in any other provision of the *Motor Accidents Act 1973*, be liable to make payments to the insurer in accordance with sub-section (2D).

(2C) The amount of any payment to be made to the employer by the Motor Accidents Board shall be an amount equal to—

- (a) any amount of compensation payable under this Act (other than any amount recoverable from the Workers Supplementation Fund and any amount in respect of which the employer is insured or indemnified under the policy of accident insurance or indemnity); or
- (b) the total amount of the payments which the Motor Accidents Board would, if no compensation were payable under this Act in respect of the death or injury, have been liable to make under the *Motor Accidents Act 1973* in respect of that death or injury—

whichever is the lesser.

(2D) The amount of any payment to be made to an insurer by the Motor Accidents Board shall be an amount equal to—

- (a) any amount of compensation payable under this Act (other than any amount recoverable from the Workers Supplementation Fund (in respect of which the insurer is required to insure or indemnify the employer under the policy of accident insurance or indemnity; or
- (b) the total amount of the payments which the Motor Accidents Board would, if no compensation were payable under this Act in respect of the death or injury, have been liable to make under the *Motor Accidents Act 1973* in respect of that death or injury less any amount payable to the employer pursuant to the provisions of sub-section (2c)—

whichever is the lesser.

(2E) The provisions of the *Motor Accidents Act 1973* relating to application for and determination of payments in respect of the death or injury of a person shall apply to payments which the Motor Accidents Board is liable to make under sub-section (2A) or (2B), as if the employer or insurer were the injured person or (in the case of the death of the injured person) a spouse or child of the deceased wholly, mainly or in part dependent upon the earnings of the deceased (as the case requires), and as if in section 22 of that Act the requirement that an application to the Board be made within three years after the date of the accident had been deleted.

(2F) Notwithstanding anything to the contrary in section 59 of the *Motor Accidents Act 1973*, moneys standing to the credit of any account kept by the Motor Accidents Board under that Act may be applied for the purpose of making any payment which the Board is liable to make by virtue of the provisions of sub-sections (2A) and (2B).

(2G) In sub-sections (2A) to (2F), a reference to the Motor Accidents Board is a reference to the Motor Accidents Board established under the *Motor Accidents Act 1973*.

(2H) Sub-sections (2A) to (2G) inclusive do not apply in respect of the death or injury of a worker that occurs before the commencement of the *Workers Compensation (Miscellaneous Provisions) Act 1979*."

(2) In section 62 (1) (b) of the Principal Act for the expression "if compensation has been paid under this Act" there shall be substituted the expression "to the extent to which compensation has been paid under this Act and is not recoverable under section 8 from the Motor Accidents Board".

—(Hon. Haddon Storey)

Question—That clause 5 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25  
 The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain (Teller)  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter

Noes, 12  
 The Hon. G. A. S. Butler (Teller)  
 Joan Coxsedg  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 I. B. Trayling  
 E. H. Walker

J. V. C. Guest (*Teller*)  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

J. M. Walton (*Teller*)  
 D. R. White

And so it was resolved in the affirmative.

NO. 7.—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Clause 7.

(1) In section 26 (2) (d) (i) of the Principal Act for the words “optician registered masseur” there shall be substituted the words “optometrist registered physiotherapist registered chiropractor and osteopath”.

(2) In section 26 (2) (d) (v) of the Principal Act for the words “optician masseur” there shall be substituted the words “optometrist physiotherapist chiropractor and osteopath”.

(3) In section 26 (11) of the Principal Act for the expression “\$500” there shall be substituted the expression “\$750”.

(4) The provisions of section 26 of the Principal Act shall—

- (a) where the death of a worker occurs on or after the commencement of this section—apply as amended by this section; and
- (b) except as provided by paragraph (a)—continue to apply notwithstanding the commencement of this section as in force immediately before the said commencement.

—(*Hon. Haddon Storey*)

Question—That clause 7 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block (*Teller*)  
 C. Bubbs (*Teller*)  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh

Noes, 12

The Hon. G. A. S. Butler  
 Joan Coxsedg  
 R. J. Eddy  
 C. J. Kennedy (*Teller*)  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

N. F. Stacey  
Haddon Storey  
J. A. Taylor  
H. R. Ward

And so it was resolved in the affirmative.

No. 8.—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL—Clauses 8 to 11.

8. In section 52 (3) of the Principal Act after the word “registrar” (wherever occurring) there shall be inserted the words “or assistant registrar”.

9. (1) In section 79 (1) of the Principal Act before the words “Nothing in this Act” there shall be inserted the expression “Subject to sub-sections (1AA), (1AB) and (1AC)”.

(2) After section 79 (1) of the Principal Act there shall be inserted the following sub-sections:

‘(1AA) Subject to sub-section (1AC) where any award in favour of a person or persons for whose benefit an action for damages is permitted to be brought under Part III. of the *Wrongs Act* 1958 has been made under this Act in respect of the death of a worker, any judgment, order for damages, settlement or compromise made or entered in respect of the death of the worker in an action for damages under Part III. of the *Wrongs Act* 1958 shall be reduced by the amount of the award under this Act.

(1AB) Subject to section (1AC) where a judgment, order for damages, settlement or compromise has been made or entered in an action for damages under Part III. of the *Wrongs Act* 1958, any award under this Act in favour of any person or persons for whose benefit the action for damages under Part III. of the *Wrongs Act* 1958 is permitted to be brought, in respect of the worker’s death, shall be reduced by—

(a) the amount mentioned in clause 1 (a) (ii) under the heading “*The Clauses Referred To*” in section 9 or that amount as increased or decreased in accordance with the provisions of section 9 (3); or

(b) the amount of the judgment, order, settlement or compromise—  
whichever is the lesser.

(1AC) Sub-sections (1AA) and (1AB) do not apply to or in relation to the death of a worker which occurred before the commencement of section 9 of the *Workers Compensation (Miscellaneous Provisions) Act* 1979.’

(3) After section 79 (3) of the Principal Act there shall be inserted the following sub-sections:

“(3A) Where in an action for damages brought by a worker independently of this Act in respect of injury to the worker against a person for whose acts or defaults the employer of the worker is not responsible an amount is lodged or paid into court by or on behalf of that person in accordance with the Rules of the Court in which the action is brought and the amount is accepted by the worker, the worker shall refund immediately to the person by whom the compensation was paid an amount equivalent to the amount of payments of compensation received under this Act in respect of the injury or the amount accepted, whichever is the lesser.

(3B) Where pursuant to the provisions of sub-section (3A) moneys are required to be refunded but are not refunded in accordance with that sub-section, the person entitled to the refund may recover the money in any court of competent jurisdiction as a civil debt recoverable summarily.

(3c). Notwithstanding anything to the contrary in this Act the employer shall not be indemnified in respect of any moneys already paid by him to the worker by way of compensation under this Act where the worker is required to refund an amount equivalent to those moneys pursuant to sub-section (3A).”

10. (1) At the end of section 104 of the Principal Act there shall be inserted the following heading and sections:

‘PART VI.—WORKERS SUPPLEMENTATION FUND

105. In this Part—

“Employer’s policy” means a policy of accident insurance or indemnity providing indemnity against claims made by any worker in respect of any injury arising out of or in the course of the employment of the worker.

“Fund” means the Workers Supplementation Fund established under this Part.

“Statutory premium element” means so much of any premium paid in respect of an employer’s policy as is attributable to indemnity provided by the employer’s policy against claims under this Act or at common law.

106. (1) An employer who is about to obtain or has obtained an employer’s policy shall be liable to pay the prescribed contribution.

(2) The prescribed contribution shall be such percentage of the statutory premium element (not exceeding 40 per centum) as is prescribed.

(3) The prescribed contribution shall be paid to the insurer—

(a) where any moneys are paid to the insurer by way of premium in respect of an employer’s policy before the day specified in the policy as the day on which insurance cover begins—on the payment of those moneys; and

(b) in any other case—

(i) on the day specified in the policy as the day on which insurance cover begins; or

(ii) if the insurer in writing so requires, on the payment after the day mentioned in sub-paragraph (i) of any moneys to the insurer by way of premium in respect of an employer’s policy.

(4) The prescribed contribution shall be calculated on the basis of the premium payable at the rate in force on the day specified in the employer’s policy as the day on which insurance cover begins.

(5) A contribution payable under this section shall be levied and collected for and on behalf of Her Majesty.

(6) An insurer shall disclose to an employer the amount of the statutory premium element of any amount payable by way of premium in respect of an employer’s policy.

(7) An employer who receives a refund of any amount paid by way of statutory premium element in respect of an employer’s policy shall be entitled to be refunded from the Fund, a corresponding refund in respect of any contribution levied in respect of the statutory premium element so refunded.



(8) Notwithstanding anything to the contrary in this section, the following provisions shall apply to and in relation to an employer's policy obtained before the date of commencement of section 10 of the *Workers Compensation (Miscellaneous Provisions) Act 1979* and in force at the date of commencement of that provision:

- (a) The employer who obtained the policy shall be liable to pay by way of contribution to the Fund a proportion of the prescribed contribution, being a proportion represented by the formula  $\frac{A}{366}$  where  $A$  is the number of days in the period commencing on and from the date of commencement of section 10 of the *Workers Compensation (Miscellaneous Provisions) Act 1979* and ending on the day before the day on which the policy is renewable;
- (b) The contribution mentioned in paragraph (a) shall be payable to the insurer not later than the day on which premiums in respect of the employer's policy are adjusted by the insurer;
- (c) For the purposes of calculating the contribution payable under paragraph (a), the prescribed contribution shall be calculated on the basis of the premium payable at the rate in force on the date of commencement of section 10 of the *Workers Compensation (Miscellaneous Provisions) Act 1979*; and
- (d) A reference in section 107 to an employer's policies shall be read and construed as if it included a reference to an employer's policy to which this sub-section applies and as if a reference to moneys paid by way of premium included a reference to contributions received under this sub-section.

107. (1) Within fourteen days after the end of every month an insurer shall send to the Treasurer of Victoria a statement in the prescribed form setting out the amounts representing the statutory premium element of all amounts received by the insurer by way of premium in respect of employers' policies during that month and such other particulars (if any) as are prescribed.

(2) The statement shall be verified by a statutory declaration made by the appropriate officer of the insurer.

(3) The insurer shall at the same time pay to the Treasurer of Victoria the amount of any contributions payable in respect of moneys received during that month.

108. Any amount payable to the Treasurer of Victoria under this Part may be recovered by the Treasurer of Victoria as a civil debt recoverable summarily in any court of competent jurisdiction.

109. Where the Treasurer of Victoria finds that any contribution payable under this Part has been overpaid, he may refund the amount by which the contribution was overpaid.

110. For the purposes of this Part, there shall be kept in the Treasury as part of the Trust Fund a trust account to be called the "Workers Supplementation Fund".

111. There shall be paid into the Fund—

- (a) all contributions paid to the Treasurer of Victoria under this Part; and
- (b) any interest received in consequence of the investment of any moneys standing to the credit of the Fund.

112. There shall be paid out of the Fund—

- (a) the amount of any costs and expenses incurred in the administration of this Part including the administration of the Fund and the exercise of any power under section 117;
- (b) the amount of any refund due under this Part; and
- (c) any other moneys which this Act authorizes to be paid out of the Fund.

113. (1) Where the Fund is insufficient to meet any payment required by this Part to be made out of it, the Treasurer of Victoria may make temporary advances to the Fund out of the Insurers Guarantee and Compensation Supplementation Fund.

(2) Where any temporary advance is made under sub-section (1), the amount of the advance, together with interest at such rate as the Treasurer of Victoria determines, shall be a first charge on the Fund and shall be recouped to the Insurers Guarantee and Compensation Supplementation Fund progressively as moneys are paid into the Workers Supplementation Fund.

114. Moneys standing to the credit of the Fund may be invested by the Treasurer of Victoria in such securities as he thinks fit.

115. (1) The Treasurer may by instrument delegate to the Insurance Commissioner all or any of his powers or functions in relation to the administration of the Fund (except this power of delegation).

(2) The Treasurer may by instrument vary or revoke a delegation given by him under sub-section (1).

(3) A power or function delegated by the Treasurer under this section may be exercised or performed by the Insurance Commissioner—

- (a) in accordance with the instrument of delegation; and
- (b) if the exercise of the power or the performance of the function is dependent upon the opinion, belief or state of mind of the Treasurer in relation to a matter—upon the opinion, belief or state of mind of the Insurance Commissioner in relation to that matter.

(4) A delegation under this section does not prevent the exercise of a power or the performance of a function in relation to the administration of the Fund by the Treasurer.

116. (1) Within 14 days after the completion of the audit of an insurer's accounts for each financial year, the insurer shall send to the Treasurer a statement by a registered company auditor within the meaning of section 5 of the *Companies Act 1961* certifying that—

- (a) he has examined the accounting records kept by the insurer in relation to the collection from holders of policies of accident insurance or indemnity of contributions under this Part and the payment of those contributions to the Treasurer and the insurer's entitlement to recover from the Fund; and
- (b) in his opinion—
  - (i) the accounts accurately record the amounts actually collected by the insurer by way of contributions under this Part and actually paid to the Treasurer;
  - (ii) the insurer has performed his obligations under sections 106 and 107 in respect of the collection and payment of contributions;

- (iii) the accounting records accurately represent any entitlement of the insurer to be recompensed from the Fund; and
- (iv) any claims made by the insurer to be recompensed from the Fund are based on the insurer's entitlement as shown in the accounting records.

(2) A statement under sub-section (1)—

- (a) shall be in writing;
- (b) shall be in or to the effect of the prescribed form;
- (c) shall be signed by the auditor; and
- (d) shall relate to the period of twelve months ended on the preceding 30 June.

117. (1) An insurer shall when requested to do so by the Treasurer or the Insurance Commissioner or a person authorized in writing in that behalf by the Treasurer or the Insurance Commissioner, forthwith produce to that person such books and records as are kept by the insurer in relation to the collection of contributions under this Part and the payment of contributions to the Treasurer as are specified by the person requiring the production.

(2) A person to whom a document is produced under sub-section (1) may examine the document in relation to any matter under this Part or under sections 2F or 2G and may take copies of or extracts from the document.

(3) An insurer who without reasonable excuse fails or refuses to produce a document in accordance with a requirement made under sub-section (1) shall be guilty of an offence against this Act.'

(2) In the table of Parts and Divisions in section 1 (2) of the Principal Act, after the item relating to Part V. there shall be inserted the following item:

“Part VI.—Workers Supplementation Fund ss. 105–117.”.

11. The Principal Act is amended as follows:

(a) In section 47 for sub-section (1) there shall be substituted the following sub-sections:

‘(1) All matters, proceedings and inquiries before the Board (in this section called “proceedings”) shall in accordance with the rules and any direction given by the Board at any time during the proceedings be placed in the first instance by the Registrar in—

- (a) a list of proceedings for hearing by the Board to be called the summary list; or
- (b) a list of proceedings for formal determination by the Board to be called the contested list—

whichever list is appropriate having regard to the contentiousness, complexity or difficulty of the questions of law or fact which have arisen or are likely to arise.

(1A) Any party to proceedings may make application to the Board for the transfer of the proceedings from the contested list to the summary list or from the summary list to the contested list.’

- (b) In the proviso to section 47 (2) (a), for the words “shall take such evidence on oath” there shall be substituted the expression “may, if it considers it appropriate to do so, take such evidence on oath”;
- (c) Section 47 (3) is repealed;

- (d) In section 47 (4)—
- (i) for the words “not in the summary list” there shall be substituted the words “in the contested list”;
  - (ii) after the word “complex” there shall be inserted the words “or contentious”; and
  - (iii) the words “where the party so responsible is an employer” shall be repealed;
- (e) In section 83 (1) (a) for the words “is not covered” there shall be substituted the words “is not or may not be covered”;
- (f) After section 83 (2) there shall be inserted the following sub-section:
- “(2A) In proceedings before the Board in relation to compensation under this Act, the Insurance Commissioner shall be entitled to represent the Fund and to appear before the Board either in person or by an agent where he believes that as a result of the determination of the proceedings the Fund may become liable for payments under this section.”;
- (g) In section 83 (4) for the words commencing immediately after the word “entitled” and ending at the end of the sub-section there shall be substituted the following expression:
- “—
- (a) to recover—
    - (i) the amounts so paid, from the employer in question; or
    - (ii) if it is proved that a valid policy of accident insurance or indemnity was in force at the time of the occurrence of the injury in respect of which the award was made—the amount so paid, from the insurer, to the extent of the amount which the insurer would but for this section have been liable to pay to the employer under the policy and the balance from the employer—

in any court of competent jurisdiction as a civil debt recoverable summarily, together with any costs incurred by the Insurance Commissioner in connexion with the representation of the Fund under this section; and
  - (b) to obtain from the Supreme Court a declaration as to whether or not a valid policy of accident insurance or indemnity was in force at the time of the occurrence of the injury in respect of which the award was made.”;
- (h) In section 83 (6) after the words “under this section” (where secondly occurring) there shall be inserted the expression “or takes proceedings pursuant to any of the provisions referred to in sub-section (9)”;
- (i) After section 83 (7) there shall be inserted the following sub-sections:
- “(8) The employer shall not be indemnified in respect of any moneys recoverable by the Insurance Commissioner from an insurer pursuant to sub-paragraph (ii) of paragraph (a) of sub-section (4).
- (9) The provisions of this Act relating to the review, redemption, reduction or termination of weekly payments of compensation, the service of notices, contribution from other employers or other persons

and the obtaining of medical examinations shall apply in respect of amounts payable out of the Workers Compensation Board Fund under this section, as if the Insurance Commissioner were an employer and the amounts were amounts payable by the employer under an award of compensation.”;

- (j) In section 86 (1) for the expression “\$20” there shall be substituted the expression “\$500”;
- (k) In section 98 (1) (d) after the word “Part” there shall be inserted the expression “including the administration of the Fund and the exercise of any power under section 100c”;
- (l) After section 100 there shall be inserted the following sections:

“100A. (1) The Treasurer may by instrument delegate to the Insurance Commissioner all or any of his powers or functions in relation to the administration of the Fund (except this power of delegation).

(2) The Treasurer may by instrument vary or revoke a delegation given by him under sub-section (1).

(3) A power or function delegated by the Treasurer under this section may be exercised or performed by the Insurance Commissioner—

- (a) in accordance with the instrument of delegation; and
- (b) if the exercise of the power or the performance of the function is dependent upon the opinion, belief or state of mind of the Treasurer in relation to a matter—upon the opinion, belief or state of mind of the Insurance Commissioner in relation to that matter.

(4) A delegation under this section does not prevent the exercise of a power or the performance of a function in relation to the administration of the Fund by the Treasurer.

100B. (1) Within fourteen days after completion of the audit of an insurer’s accounts for each financial year, the insurer shall send to the Treasurer a statement by a registered company auditor within the meaning of section 5 of the *Companies Act* 1961 certifying that—

- (a) he has examined the accounting records kept by the insurer in relation to the collection from holders of policies of accident insurance or indemnity of surcharges under this Part and the payment of those surcharges to the Treasurer and the insurer’s entitlement to recover from the fund; and
- (b) in his opinion—
  - (i) the accounts accurately record the amounts actually collected by the insurer by way of surcharges under this Part and actually paid to the Treasurer;
  - (ii) the insurer has performed his obligations under sections 92 and 93 in respect of the collection and payment of surcharges;
  - (iii) the accounting records accurately represent any entitlement of the insurer to be recompensed from the Fund; and
  - (iv) any claims made by the insurer to be recompensed from the Fund are based on the insurer’s entitlement as shown in the accounting records.

(2) A statement under sub-section (1)—

- (a) shall be in writing;
- (b) shall be in or to the effect of the prescribed form;
- (c) shall be signed by the auditor; and
- (d) shall relate to the period of 12 months ended on the preceding 30 June.

100c. (1) An insurer shall when requested to do so by the Treasurer or the Insurance Commissioner or a person authorized in writing in that behalf by the Treasurer or the Insurance Commissioner, forthwith produce to that person such books and records as are kept by the insurer in relation to the collection of surcharges under this Part and the payment of surcharge to the Treasurer as are specified by the person requiring the production.

(2) A person to whom a document is produced under sub-section (1) may examine the document in relation to any matter under this Part or under sections 2B or 2C and may take copies of or extracts from the document.

(3) An insurer who without reasonable excuse fails or refuses to produce a document in accordance with a requirement made under sub-section (1) shall be guilty of an offence against this Act.”.

(m) In the table of Parts and Divisions in section 1 (2) for the item relating to Division 1 of Part V. there shall be substituted the following item: “DIVISION I.—Fund ss. 91–100c.”.

—(Hon. Haddon Storey)

Question—That clauses 8 to 11 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley (*Teller*)  
 F. J. Granter  
 J. V. C. Guest  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard (*Teller*)  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

Noes, 12

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.

## No. 9—WORKERS COMPENSATION (MISCELLANEOUS PROVISIONS) BILL.

Question—That the Chairman report the Bill to the House without amendment—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25  
 The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest (*Teller*)  
 V. T. Hauser (*Teller*)  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

Noes, 12  
 The Hon. G. A. S. Butler  
 Joan Cocksedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.

## Thursday, 22 November 1979

## No. 1.—MOTOR CAR (SURCHARGE) BILL—Clause 2.

In section 41A (1) and (2) of the Principal Act, for the expression “\$4.00” there shall be substituted the expression “\$8.00”.

—(*Hon. Haddon Storey*)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25  
 The Hon. H. G. Baylor  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton (*Teller*)  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long

Noes, 13  
 The Hon. G. A. S. Butler  
 Joan Cocksedge (*Teller*)  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

J. W. S. Radford  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor (*Teller*)  
 H. R. Ward  
 K. I. Wright

And so it was resolved in the affirmative.

No. 2.—VERMIN AND NOXIOUS WEEDS (AMENDMENT) BILL—Clause 12.

For section 24 of the Principal Act there shall be substituted the following section:

“24. The Board shall out of moneys available for the purpose pay upon such terms and conditions as are prescribed a prescribed sum by way of bonus or reward for the destruction of every one of a prescribed kind of vermin which is destroyed in Victoria.”

—(*Hon. W. V. Houghton*)

Amendment proposed—That the words “of every fox wild dog and” be inserted after the word “destruction”.

—(*Hon. K. I. Wright*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. P. D. Block in the Chair.

Ayes, 3  
 The Hon. B. P. Dunn  
 D. M. Evans (*Teller*)  
 K. I. Wright (*Teller*)

Noes, 34  
 The Hon. H. G. Baylor  
 C. Bubb  
 G. A. S. Butler  
 B. A. Chamberlain  
 Joan Cocksedge  
 D. G. Crozier  
 R. J. Eddy  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton (*Teller*)  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 C. J. Kennedy  
 D. E. Kent  
 R. I. Knowles  
 W. A. Landeryou  
 R. Lawson  
 R. J. Long  
 R. A. Mackenzie  
 J. W. S. Radford  
 D. N. Saltmarsh  
 G. A. Sgro  
 N. F. Stacey  
 Haddon Storey  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 H. R. Ward  
 D. R. White

And so it passed in the negative.



SECRET  
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CONFIDENTIAL

CONFIDENTIAL

LEGISLATIVE COUNCIL OF VICTORIA  
WEEKLY REPORT OF DIVISIONS IN  
COMMITTEE OF THE WHOLE COUNCIL

No. 5

Thursday, 6 December 1979

No. 1—PRESBYTERIAN SCHOOLS BILL—Clause 2.

In this Act, unless the contrary intention appears—

“Presbyterian Church” means the Presbyterian Church continuing to function on and after 22 June 1977 under the name or style of the Presbyterian Church of Victoria in accordance with clause 18 of Part III. of the Schedule to the *Presbyterian Church of Australia Act 1971*.

“Presbyterian Colleges Commission” means the Commission appointed under section 5.

“School” means—

- (a) Ballarat and Clarendon College;
- (b) Geelong College;
- (c) Haileybury College;
- (d) Hamilton and Alexandra College;
- (e) Morongo Presbyterian Girls' College, Geelong;
- (f) Penleigh and Essendon Grammar School;
- (g) Presbyterian Ladies' College;
- (h) Scotch College; or
- (i) St. Leonard's College.

“School property” means any property held or used for or in connexion with a school.

—(Hon. A. J. Hunt)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 24

The Hon. W. R. Baxter  
H. G. Baylor (*Teller*)  
P. D. Block (*Teller*)  
C. Bubb  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr. K. J. Foley  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
D. K. Hayward  
Dr. R. W. Howard  
A. J. Hunt  
Glyn. Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
Haddon Storey  
J. A. Taylor  
H. R. Ward

Noes, 12

The Hon. G. A. S. Butler  
R. J. Eddy (*Teller*)  
C. J. Kennedy (*Teller*)  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

And so it was resolved in the affirmative.

## NO. 2—VICTORIAN DEVELOPMENT CORPORATION (POWERS) BILL—Clause 3.

(1) In section 11 (2) of the Principal Act for the words “of country industries and with the provision of tourist accommodation and facilities throughout the State and without limiting the generality of the foregoing” there shall be substituted the expression—

“of—

- (a) country industries;
- (b) the provision of tourist accommodation and facilities throughout the State;
- (c) investment opportunities in the State from overseas and interstate; and

\* \* \* \* \*

—(Hon. D. G. Crozier)

Amendment proposed—That the words “and interstate” in paragraph (c) in sub-clause (1) be omitted with the view of inserting in place thereof the words “interstate and locally”.

—(Hon. D. R. White)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

<p>Ayes, 24</p> <p>The Hon. W. R. Baxter H. G. Baylor C. Bubb (<i>Teller</i>) D. G. Crozier B. P. Dunn D. M. Evans Dr. K. J. Foley F. J. Granter J. V. C. Guest H. M. Hamilton (<i>Teller</i>) V. T. Hauser D. K. Hayward Dr. R. W. Howard Glyn Jenkins R. I. Knowles R. Lawson R. J. Long J. W. S. Radford N. B. Reid D. N. Saltmarsh N. F. Stacey Haddon Storey J. A. Taylor H. R. Ward</p>	<p>Noes, 12</p> <p>The Hon. G. A. S. Butler (<i>Teller</i>) R. J. Eddy C. J. Kennedy D. E. Kent W. A. Landeryou R. A. Mackenzie G. A. Sgro H. A. Thomas I. B. Trayling E. H. Walker J. M. Walton D. R. White (<i>Teller</i>)</p>
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And so it was resolved in the affirmative—Amendment negatived.

**LEGISLATIVE COUNCIL OF VICTORIA**  
**WEEKLY REPORT OF DIVISIONS IN**  
**COMMITTEE OF THE WHOLE COUNCIL**

—  
**No. 6**  
 —

**Wednesday, 12 December 1979**  
**(morning)**

No. 1.—URBAN LAND AUTHORITY BILL—Clause 4.

(1) The objects of this Act are—

- (a) to facilitate the disposal of lands which the Governor in Council on the recommendation of the Minister by order declares ought in the public interest to be disposed of; and
- (b) to provide developed and development allotments as directed by the Minister.

\* \* \* \* \*

—(*Hon. F. J. Granter*)

Amendment proposed—That sub-clause (1) be omitted with the view of inserting in place thereof—

“(1) The objects of the Authority shall be—

- (a) to acquire land for present or future urban expansion or development or for the establishment of new urban areas;
- (b) to manage and develop or re-develop for residential or commercial use the land so acquired;
- (c) from time to time, as prevailing circumstances require, to make available such of its land as the Authority considers necessary or expedient for the orderly establishment, expansion or development of urban areas, or for other public purposes;
- (d) to provide land to those members of the community who do not have large financial resources;
- (e) to promote integration and economy in the development of land for urban purposes; and
- (f) to provide, or arrange for the provision of, services and amenities for the use or benefit of the present or future community in new urban areas.”

—(*Hon. E. H. Walker*)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.  
Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
B. A. Chamberlain (*Teller*)  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr K. J. Foley  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward (*Teller*)  
W. V. Houghton  
Dr R. W. Howard  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
N. F. Stacey  
Haddon Storey  
H. R. Ward  
K. I. Wright

Noes, 10

The Hon. G. A. S. Butler  
Joan Coxsedge  
R. J. Eddy (*Teller*)  
C. J. Kennedy (*Teller*)  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
I. B. Trayling  
E. H. Walker  
D. R. White

And so it was resolved in the affirmative—Amendment negatived.

NO. 2.—URBAN LAND AUTHORITY BILL—Clause 13.

\* \* \* \* \*

(5) The Authority shall before or on the last day of November in each year submit to the Minister, to be laid before both Houses of Parliament within one month of its receipt by the Minister or if either House is not then sitting forthwith upon the resumption of the sitting by the House a report dealing with the general administration and working of this Act together with a copy of the audited statement of its accounts for the preceding financial year.

—(*Hon. F. J. Granter*)

Amendment proposed—That the words “and a detailed statement of the land held by the Authority at the end of the financial year together with a statement of any land acquired or disposed of within the financial year” be inserted after the words “financial year” in sub-clause (5).

—(*Hon. E. H. Walker*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 14

The Hon. W. R. Baxter  
G. A. S. Butler  
Joan Coxsedge (*Teller*)  
B. P. Dunn  
R. J. Eddy  
D. M. Evans

Noes, 22

The Hon. H. G. Baylor  
P. D. Block  
C. Bubb  
B. A. Chamberlain  
D. G. Crozier  
Dr. K. J. Foley

C. J. Kennedy  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie  
 I. B. Trayling  
 E. H. Walker  
 D. R. White  
 K. I. Wright

F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard (*Teller*)  
 Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward

And so it passed in the negative.

No. 3—URBAN LAND AUTHORITY BILL—Clause 14.

(1) Without affecting any other powers of the Authority to impose terms and conditions in selling land, where the Authority sells any land, the Authority may sell the land subject to terms and conditions relating to the development redevelopment or use of the land by the purchaser.

\* \* \* \* \*

—(*Hon. F. J. Granter*)

Amendment proposed—That the words “by public auction or public tender” be inserted after the word “land” (where second occurring) in sub-clause (1).

—(*Hon. E. H. Walker*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 14

The Hon. W. R. Baxter  
 G. A. S. Butler  
 Joan Coxsedg  
 B. P. Dunn  
 R. J. Eddy  
 D. M. Evans (*Teller*)  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 D. R. White  
 K. I. Wright

Noes, 22

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson (*Teller*)  
 R. J. Long (*Teller*)  
 J. W. S. Radford  
 N. B. Reid  
 N. F. Stacey  
 Haddon Storey  
 H. R. Ward

And so it passed in the negative.

## No. 4.—STAMPS (AMENDMENT) BILL—Clause 3.

(1) In section 137A of the Principal Act in the definition of “Application for registration” for the expression “(whether in Victoria or elsewhere)” where twice occurring there shall be substituted the words “in Victoria”.

(2) In the Third Schedule to the Principal Act under the heading “XXI. APPLICATIONS FOR REGISTRATION OF AND NOTICES OF ACQUISITION IN RESPECT OF MOTOR CARS AND COMMERCIAL TRAILERS—” for the expression commencing with the words “On every application” and ending with the figures “5.00” (where second occurring) there shall be substituted the following expression:

“(1) On every application for registration of a motor car or commercial trailer which has not been previously registered in Victoria or elsewhere—

for every \$200 of the market value of the motor car or commercial trailer in respect of which the application is made and also for any fractional part of \$200 of such market value .. .. 6.00

(2) Subject to paragraph (3) on every other application for registration of a motor car or commercial trailer—

for every \$200 of the market value of the motor car or commercial trailer in respect of which the application is made and also for any fractional part of \$200 of such market value .. .. 8.00

(3) Where an application for registration of a motor car or commercial trailer is made by a person in whose name the motor car or commercial trailer was last registered and that last registration was effected outside Victoria and that person has paid *ad valorem* stamp duty on a registration of that motor car or commercial trailer under a corresponding enactment to this Act the stamp duty payable on the application for registration shall be—

(a) \$10.00; or

(b) the amount that would otherwise be payable under paragraph (2) reduced by an amount which is equal to the amount calculated in accordance with the following formula—

$$\frac{A}{B} \times C \text{ where—}$$

A is the amount of stamp duty paid under the corresponding enactment;

B is the value of the motor car or commercial trailer at the time *ad valorem* stamp duty became payable outside Victoria; and

C is the value of the motor car or commercial trailer for the purposes of assessing the duty payable under this Act—

whichever is the greater.

(4) On every notice of acquisition of a motor car or commercial trailer—

for every \$200 of the market value of the motor car or commercial trailer at the date that the person giving the notice of acquisition acquired possession of the motor car and also for any fractional part of \$200 of such market value .. .. 8.00”.

—(Hon. Haddon Storey)

Question—That clause 3 stand part of the Bill—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 24

The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 J. W. S. Radford (*Teller*)  
 N. B. Reid (*Teller*)  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

Noes, 10

The Hon. G. A. S. Butler  
 Joan Coxsedg  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 D. R. White (*Teller*)

And so it was resolved in the affirmative.

## Wednesday, 12 December 1979

No. 1.—ABATTOIR AND MEAT INSPECTION (AMENDMENT) BILL—Clause 2.

(1) Section 5 (1) is amended as follows:

- (a) For the words “eight members” there shall be substituted the words “nine members”;
- (b) For paragraphs (a) and (b) there shall be substituted the following paragraphs:  
 “(a) one shall be the Chief Veterinary Officer of the Department of Agriculture, who shall be chairman;  
 (b) one shall be the Chief of the Division of Veterinary Public Health of the Department of Agriculture, who shall be deputy chairman;”;

\* \* \* \* \*

—(*Hon. W. V. Houghton*)

Amendment proposed—That the following paragraph be inserted to follow paragraph (b) in sub-clause (1):

‘(c) For paragraph (d) there shall be substituted the following paragraph:

“(d) one shall be a person nominated by the Victorian Trades Hall Council as a representative of employees engaged in the meat industry;”’.

—(*Hon. R. J. Eddy*)



Question—That the paragraph proposed to be inserted be so inserted—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 12

The Hon. G. A. S. Butler  
Joan Cocksedge  
R. J. Eddy  
C. J. Kennedy (*Teller*)  
D. E. Kent (*Teller*)  
W. A. Landeryou  
R. A. Mackenzie  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White

Noes, 24

The Hon. W. R. Baxter  
C. Bubb  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles (*Teller*)  
R. Lawson (*Teller*)  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey  
J. A. Taylor  
H. R. Ward

And so it passed in the negative.

No. 2.—RAILWAY CONSTRUCTION AND PROPERTY BOARD BILL—Clause 20.

\* \* \* \* \*

(4) Where the Board receives a direction under sub-section (3) in relation to land, the Board in its recommendations to the Minister under this section—

- (a) may recommend different uses for any part or parts of the land; and
- (b) may recommend the use or development of the whole or part of the land together with other land.

\* \* \* \* \*

—(*Hon. D. G. Crozier*)

Amendment proposed—That the words “shall give notice in writing to the Councils of all municipalities in whose municipal district any part of the land is situate and members of the Legislative Assembly and the Legislative Council in whose electoral district or province any part of the land is situate that an investigation is being made; and a copy of such notice shall be published once in a daily newspaper circulating throughout Victoria and once in a local newspaper published and circulated in the area in which the land is situate and the Board, after considering any submissions made in writing by any council or any other person,” be inserted after the word “Board” (where second occurring) in sub-clause (4).

—(*Hon. R. A. Mackenzie*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 14

The Hon. W. R. Baxter  
G. A. S. Butler (*Teller*)  
Joan Coxsedge  
B. P. Dunn  
R. J. Eddy  
D. M. Evans  
C. J. Kennedy  
D. E. Kent  
R. A. Mackenzie  
H. A. Thomas  
E. H. Walker  
J. M. Walton  
D. R. White  
K. I. Wright (*Teller*)

Noes, 19

The Hon. C. Bubb  
B. A. Chamberlain  
D. G. Crozier  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
D. K. Hayward  
W. V. Houghton  
Dr R. W. Howard  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long (*Teller*)  
J. W. S. Radford (*Teller*)  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
J. A. Taylor  
H. R. Ward

And so it passed in the negative.

No. 3.—BUILDING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL—Clause 13.

After section 19 of the Principal Act there shall be inserted the following section:

“19A. (1) In calculating the period of continuous service in the industry of a working sub-contractor service shall be deemed to be continuous notwithstanding—

- (a) any interruption of contribution prior to the commencement of the *Building Industry Long Service Leave (Amendment) Act 1979* by a working sub-contractor registered prior to that commencement;
- (b) an interruption of contribution not exceeding nine months in any year;

\* \* \* \* \*

—(*Hon. Haddon Storey*)

Amendment proposed—That the word “nine” in paragraph (b) of proposed section 19A be omitted with the view of inserting in place thereof the expression “twenty-four”.

—(*Hon. G. A. S. Butler*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. W. R. Baxter  
C. Bubb  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans

Noes, 11

The Hon. G. A. S. Butler  
Joan Coxsedge  
R. J. Eddy (*Teller*)  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou

F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 D. N. Saltmarsh (*Teller*)  
 N. F. Stacey (*Teller*)  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

R. A. Mackenzie  
 H. A. Thomas (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

## Thursday, 13 December 1979

No. 1.—INDUSTRIAL RELATIONS BILL.—Clause 12.

\* \* \* \* \*

(3) Any order or determination made by a Commissioner sitting alone shall be subject to appeal to the President.

—(*Hon. Haddon Storey*)

Amendment proposed—That the words “a Commissioner and the Chairman of the appropriate Wages Board” be inserted after the word “President” in sub-clause (3).

—(*Hon. Joan Coxsedge*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 11

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 H. A. Thomas (*Teller*)  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White

Noes, 24

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 D. G. Crozier  
 B. P. Dunn  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford

N. B. Reid (*Teller*)  
 D. N. Saltmarsh (*Teller*)  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

And so it passed in the negative.

No. 2.—INDUSTRIAL RELATIONS BILL—Clause 44.

(1) Where it appears to an employer or to the proper officer of an association of employers or of employés that an industrial dispute has arisen in which he or his association has an interest he shall inform the registrar of the dispute.

(2) The registrar shall forthwith inform the president and the chairman of the Board affected and the chairman shall convene a meeting of the Board which shall attempt by conciliation to settle the matter of the dispute.

(3) If the Board is unable to settle the matter of the dispute by conciliation the chairman shall proceed to determine the matter by arbitration.

(4) A Board interested in the matter of an industrial dispute or the chairman of that Board or any party to the industrial dispute may at any time during the course of the dispute apply to the Commission for an order referring the matter of the dispute to the Commission for hearing and determination.

(5) Where the existence of an industrial dispute comes to the knowledge of the president or a Board otherwise than by notification from the registrar under sub-section (2) the president may direct the chairman of that Board to proceed as if the registrar had informed him of the dispute under sub-section (2) and the chairman shall proceed accordingly.

(6) The Minister may, either upon submission made to him by any person or body or of his own motion, refer the matter of any industrial dispute to the Commission.

—(*Hon. Haddon Storey*)

Question—That clause 44 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 D. K. Hayward  
 W. V. Houghton  
 Dr R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. Lawson

Noes, 11

The Hon. G. A. S. Butler  
 Joan Coxsedg  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 H. A. Thomas (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White

R. J. Long (*Teller*)  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
Haddon Storey  
J. A. Taylor (*Teller*)  
H. R. Ward  
K. I. Wright

And so it was resolved in the affirmative.

**LEGISLATIVE COUNCIL OF VICTORIA**  
**WEEKLY REPORT OF DIVISIONS IN**  
**COMMITTEE OF THE WHOLE COUNCIL**

No. 7

**Wednesday, 12 March 1980**

No. 1.—PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL—Clause 2.

After section 48 of the Principal Act there shall be inserted the following Part:

‘PART VIA.—PUBLIC BODIES REVIEW COMMITTEE

\* \* \* \*

48B. (1) The Council and the Assembly may by resolution or the Governor in Council may by Order published in the *Government Gazette* at any time nominate a public body for review by the committee.

(2) Where the Council and the Assembly have nominated a public body for review the Council and the Assembly may at any time by resolution withdraw the nomination; and where the Governor in Council has nominated a public body for review he may at any time by Order published in the *Government Gazette* withdraw the nomination.

(3) A public body which is reviewed by the committee shall not be eligible to be again nominated for review until a period of five years commencing on the day on which the most recent review of the body commenced has elapsed

(4) Subject to sub-section (3), every public body whether created before or after the commencement of this Part shall be eligible to be nominated for review unless the Act by or under which it is established expressly provides that it shall not be.

(5) In this Part, “public body” means any public body established by or appointed pursuant to an Act or established by or appointed pursuant to any rule, regulation, by-law, order, Order in Council, proclamation or other instrument of a legislative character.’

\* \* \* \*

—(Hon. Haddon Storey)

Amendment proposed—That sub-sections (1) and (2) of proposed section 48B be omitted with a view to inserting in place thereof—

48B. (1) (a) The Council and the Assembly by resolution;

(b) the Governor in Council by Order published in the *Government Gazette*; or

(c) the Committee—

may at any time nominate a public body for review by the Committee.

(2) Where the Council and the Assembly have nominated a public body for review the Council and the Assembly may at any time by resolution withdraw the nomination; where the Governor in Council has nominated a public body for review the Governor in Council may at any time by Order published in the *Government Gazette* withdraw the nomination; and where the Committee has nominated a public body for review the Committee may at any time withdraw the nomination.

—(Hon. D. R. White)

[The Chairman decided to test the proposed omission of the sub-sections on the question that the words "The Council" stand part of the clause, so as not to preclude an amendment being proposed subsequently in the clause.]

Question—That the words proposed to be omitted stand part of the clause—put.  
Committee divided—Hon. W. M. Campbell in the Chair.

Ayes, 22

Noes, 15

The Hon. H. G. Baylor  
C. Bubb  
D. G. Crozier  
Dr. K. J. Foley  
F. J. Granter  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr. R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey (*Teller*)  
Haddon Storey  
J. A. Taylor (*Teller*)  
H. R. Ward

The Hon. W. R. Baxter  
G. A. S. Butler  
B. P. Dunn  
R. J. Eddy  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton  
D. R. White (*Teller*)  
K. I. Wright (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

NO. 2.—PARLIAMENTARY COMMITTEES (PUBLIC BODIES REVIEW) BILL—Clause 2.

After section 48 of the Principal Act there shall be inserted the following Part:

“PART VIA.—PUBLIC BODIES REVIEW COMMITTEE

\* \* \* \*

48c. (1) The Committee shall review each public body nominated for review and report to the Parliament on the question whether or not the body should cease to exist.

\* \* \* \*

(11) The Chairman of the committee shall lay each report of the committee or cause each report of the committee to be laid before both Houses of the Parliament within 30 days of its being adopted by the committee if the Parliament is then sitting or, if the Parliament is not then sitting, within 30 days of the next meeting of the Parliament.

\* \* \* \*

—(*Hon. Haddon Storey*)

Amendment proposed—That the following sub-section be inserted to follow sub-section (11) of proposed section 48c:

( ) Notwithstanding anything to the contrary in this section—

(a) any member or members of the Committee who disagree with the recommendation of the Committee as to whether or not the public body should cease to exist, may refuse to sign the report of the Committee and instead submit a minority report to the Parliament; and

- (b) the Chairman of the Committee shall lay each such minority report or cause each such minority report to be laid before both Houses of the Parliament at the same time as the report of the Committee is laid before the Parliament.

—(*Hon. D. R. White*)

Question—That the sub-section proposed to be inserted be so inserted—put.

Committee divided—Hon. W. M. Campbell in the Chair.

Ayes, 15

The Hon. W. R. Baxter  
 G. A. S. Butler  
 B. P. Dunn  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White  
 K. I. Wright

Noes, 22

The Hon. H. G. Baylor  
 C. Bubb  
 D. G. Crozier  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid (*Teller*)  
 D. N. Saltmarsh (*Teller*)  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it passed in the negative.



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**LEGISLATIVE COUNCIL OF VICTORIA**  
**WEEKLY REPORT OF DIVISIONS IN**  
**COMMITTEE OF THE WHOLE COUNCIL**

—  
**No. 8**  
 —

**Wednesday, 2 April 1980**  
**(morning)**

No. 1.—POST-SECONDARY EDUCATION (AMENDMENT) BILL—Clause 2, *as amended*.

(1) For sub-section (2) of section 1 of the Principal Act there shall be substituted the following sub-section:

“(2) This Act is divided into Parts as follows:

Part I.—The Commission ss. 2–21.

Part II.—Post-Secondary Education Institutions ss. 22–39.”.

(2) Section 2 of the Principal Act shall be amended as follows:

(a) Before the interpretation of “Commission” there shall be inserted the following interpretations:

““Affiliated institution” means an institution declared by the regulations to be affiliated to a university.

“Autonomous college” means, subject to the regulations, an institution specified in Schedule 2.”;

(b) For the interpretation of “Post-secondary education institution” there shall be substituted the following interpretation:

““Post-secondary education institution” means an institution providing post-secondary education, including, without limiting the generality of the foregoing, a university or an autonomous college.”; and

(c) After the interpretation of “Regulations” there shall be inserted the following interpretation:

““University” means an institution for the time being referred to in Schedule 1 or an affiliated institution.”.

(3) After section 4 of the Principal Act there shall be inserted the following section:

“4A. (1) The Commission shall cause proper accounts and records to be kept of its financial affairs in such form as the Auditor-General requires.

(2) The accounts of the Commission shall be audited at least once in each year by the Auditor-General, who shall have in respect of the accounts all powers conferred on him by any law for the time being in force relating to the audit of public accounts.”.

(4) In section 5 (1) of the Principal Act, after paragraph (c) there shall be inserted the following paragraph:

“(ca) to make recommendations to the Governor in Council concerning the matters with respect to which the Governor in Council may make orders under this Act;”

(5) After section 5 of the Principal Act there shall be inserted the following section:

“5A. (1) The Commission shall, on the repeal of the *Victoria Institute of Colleges Act 1965*, assume possession of all documents and records of the Victoria Institute of Colleges relating to degrees and diplomas awarded by the Victoria Institute of

Colleges and shall thereafter keep those documents and records in some safe place and allow them to be inspected by, and provide copies of them to, any person the Commission considers suitable.

(2) The Commission shall, on the repeal of the *State College of Victoria Act 1972*, assume possession of all documents and records of the State College of Victoria relating to degrees and diplomas awarded by the State College of Victoria and shall thereafter keep those documents and records in some safe place and allow them to be inspected by, and provide copies of them to, any person the Commission considers suitable.

(3) The Commission may charge a reasonable fee for inspecting or obtaining a copy of any document or record kept pursuant to this section.”.

(6) After section 15 of the Principal Act there shall be inserted the following section:

“15A. (1) The Governor in Council may from time to time by Order establish a board, committee or other similar body to exercise such of the powers and functions of the Commission as are delegated to it under this section.

(2) The Governor in Council may in any Order made under sub-section (1) make such provision with respect to the terms and conditions of appointment of the members of the body and the procedure of the body as he thinks appropriate.

(3) The Commission may by instrument in writing delegate to any body established under sub-section (1) its powers and functions in relation to a specified type of post-secondary education or a specified type of post-secondary education institution.

(4) The Commission may by further instrument in writing revoke any delegation made under sub-section (3) or vary any such delegation.”.

(7) For section 17 of the Principal Act there shall be substituted the following section:

“17. (1) The Commission may establish a committee consisting of suitable persons (whether members or officers of the Commission or not) to advise or assist the Commission on such matters relating to the functions of the Commission as are referred to it by the Commission.

(2) A member of a committee (other than a full-time member or officer of the Commission) may be paid such fees and allowances (if any) as the Commission considers appropriate.

(3) A committee shall make such inquiries and furnish such reports in connexion with the matters referred to it by the Commission as the Commission directs”.

(8) The Principal Act shall be amended as follows:

(a) In section 19, after the expression “19.” there shall be inserted the expression “(1)”; and

(b) At the end of section 19 there shall be inserted the following sub-section:  
 “(2) The Commission may enter into any contract or agreement with consultant or research organizations for making such reports, surveys or investigations as the Commission thinks necessary.”.

(9) In section 20 (2) of the Principal Act, for the word “class” there shall be substituted the word “group” and for the word “institution” (where second occurring) there shall be substituted the word “institutions”.

(10) For Part II. of the Principal Act there shall be substituted the following Part:

## ‘PART II.—POST-SECONDARY EDUCATION INSTITUTIONS

### DIVISION I—REPRESENTATIONS TO COMMONWEALTH BODIES

22. (1) A post-secondary education institution or an authority responsible for any group of post-secondary education institutions shall, before making any

representations in writing to any body established under the law of the Commonwealth which is charged with the duty of advising or making recommendations to the Commonwealth Parliament or the Commonwealth Government as to the provision of moneys for post-secondary education, give at least four weeks notice to the Commission of its intention to do so.

(2) Notwithstanding anything to the contrary in sub-section (1), the Commission may in its discretion, on the application of the post-secondary education institution or authority concerned, either generally or in a particular case or class of cases reduce or dispense with the period of notice which the post-secondary education institution or authority is required by sub-section (1) to give to the Commission.

(3) Where the Commission has received notice under sub-section (1) that a post-secondary education institution or authority intends to make representations to a body established under the law of the Commonwealth, the Commission may inform the post-secondary education institution or authority that the Commission wishes its views to be attached to those representations.

(4) A post-secondary education institution or authority which has been informed pursuant to sub-section (3) that the Commission wishes its views to be attached to representations to be made by the post-secondary education institution or authority shall ensure that the views of the Commission are so attached unless—

- (a) the Commission informs the post-secondary education institution or authority that it no longer wishes its views to be attached; or
- (b) the Commission does not, within four weeks of informing the post-secondary education institution or authority that it wishes its views to be attached to the representations of the post-secondary education institution or authority, supply the post-secondary education institution or authority with a written copy of its views.

#### DIVISION 2—INCORPORATION AND CONSTITUTION OF COUNCILS OF INSTITUTIONS

23. (1) The governing body of a post-secondary education institution may at any time apply in writing to the Commission for the incorporation under this Act of a council to manage and control the institution.

(2) Where the governing body of an institution makes an application under sub-section (1), the Governor in Council may on the recommendation of the Commission by Order published in the *Government Gazette*—

- (a) constitute a council by such name as is specified in the Order as a body corporate to manage and control the institution;
- (b) make such provision for or with respect to the membership of the council as he thinks fit;
- (c) confer on the council such powers as he thinks necessary or expedient for the purpose of managing and controlling the institution; and
- (d) make such other provision for or with respect to the constitution powers duties and functions of the council as is in his opinion necessary or expedient

(3) On and from the date of the publication of an Order under this section in the *Government Gazette*, the council shall be a body corporate by the name specified in the Order capable forthwith of exercising all the functions of a body corporate and of suing and being sued and having perpetual succession and a common seal and power to acquire and hold land or any estate in land.

(4) The Governor in Council may, on the recommendation of the Commission made at the written request of a council, by any subsequent Order change the name of the council, make in relation to the council further provision with respect to any

matter or thing that is authorized to be done under paragraph (b), (c) or (d) of sub-section (2), or amend or vary any provision of a previous Order relating to the council with respect to any such matter or thing.

(5) A change of name pursuant to this section shall not affect the identity of the council or any rights or obligations of the council or render defective any legal proceedings by or against the council, and any legal proceedings that might have been continued or commenced by or against it by its former name may be continued or commenced by or against it by its new name.

(6) The Governor in Council shall not revoke an Order made under this section without the consent of the council constituted by the Order.

24. (1) On and from the commencement of this section every Order made by the Governor in Council under section 29B of the *Victoria Institute of Colleges Act 1965* or section 31 of the *State College of Victoria Act 1972* and in operation immediately prior to the commencement of this Part shall continue in operation in all respects as if it had been made under section 23 and, without limiting the generality of the foregoing, every council incorporated by such an Order shall for the purposes of this Act be deemed to have been incorporated under this Act.

(2) The Commission shall within twelve months of the commencement of this section review every Order of the Governor in Council which is continued in operation by sub-section (1).

(3) Notwithstanding anything to the contrary in section 23, where a council is incorporated by an Order of the Governor in Council which is continued in operation by sub-section (1), the Governor in Council may, on the recommendation of the Commission made after consultation with the council and notwithstanding that there has been no request by the council, by Order made within twelve months of the commencement of this section change the name of the council, make in relation to the council further provision with respect to any matter or thing that is authorized to be done under paragraph (b), (c) or (d) of section 23 (2) or amend or vary any Order relating to the council with respect to any such matter or thing.

25. (1) Any two or more councils incorporated under this Act may apply in writing to the Commission to be amalgamated.

(2) Where two or more councils have made application to the Commission under sub-section (1), the Governor in Council may, on the recommendation of the Commission, by Order published in the *Government Gazette*—

- (a) amalgamate the councils so as to form a single council by such name as is specified in the Order as a body corporate to manage and control the institutions previously controlled by those councils; and
- (b) make provision in relation to the single council so formed and incorporated with respect to any matter or thing that is authorized to be done under paragraph (b), (c) or (d) of section 23 (2).

(3) On and from the date of the publication of an Order under this section in the *Government Gazette*, the single council formed by the amalgamation of two or more councils previously incorporated under this Act shall be a body corporate by the name specified in the Order capable forthwith of exercising all the functions of a body corporate and of suing and being sued and having perpetual succession and a common seal and power to acquire and hold land or any estate in land.

(4) The powers conferred on the Governor in Council by section 23 (4) may be exercised in relation to a council formed by the amalgamation of two councils previously incorporated under section 23 or in relation to an Order effecting such an amalgamation.

(5) Where two or more councils previously incorporated under this Act are amalgamated pursuant to this section, any legal proceedings that might have been commenced or continued by or against any of the councils may be commenced or continued by or against the single council formed by the amalgamation.

(6) The Governor in Council shall not revoke an Order made under this section without the consent of the council constituted by the Order.

26. (1) Upon the publication of an Order made under sub-section (2) of section 23—

- (a) all the real and personal property vested immediately before the making of the Order in the institution or its governing body, or in any person in trust for the institution or its governing body, shall without any further or other authority than this Act be vested in the council incorporated by the Order, subject to any trusts attaching to the property; and
- (b) all liabilities and obligations of the institution or of the governing body or trustees thereof existing immediately before the making of the Order shall by virtue of this Act become and be liabilities and obligations of the council incorporated by the Order.

(2) Upon publication of an Order made under sub-section (2) of section 25—

- (a) all real and personal property vested immediately before the making of the Order in any of the councils referred to in the Order, or in any person in trust for any of those councils, shall without any further or other authority than this Act be vested in the single council formed and incorporated by the Order, subject to any trusts attaching to the property; and
- (b) all liabilities and obligations of a council referred to in the Order existing immediately before the making of the Order shall by virtue of this Act become and be liabilities and obligations of the council formed and incorporated by the Order.

(3) Nothing in this section shall apply to or in relation to Crown lands vested in trustees for the purposes of an institution.

27. (1) The council of a post-secondary education institution incorporated under this Act shall establish and keep full and complete books and accounts of all moneys received and paid by the institution and shall arrange for a continuous audit of the income and expenditure of the institution to be made at such intervals not exceeding one month as the council directs.

(2) There shall be an annual audit of the accounts of the institution made by the Auditor-General.

(3) The following provisions shall apply to the annual audit:

- (a) The Auditor-General shall have with respect to the accounts of the institution all the powers conferred on him by any law relating to the auditing of public accounts;
- (b) The council shall pay into the Consolidated Fund an amount to be determined by the Auditor-General to defray the costs and expenses of the audit and the remuneration of the officers of the Auditor-General engaged in the audit;
- (c) The council shall within three months after the 31st day of December in every year cause its accounts to be balanced to that date and a statement of accounts to be prepared and submitted to the Auditor-General;
- (d) The statement of accounts shall be in a form approved by the Auditor-General and shall be audited by the Auditor-General; and
- (e) The Auditor-General shall send to the Commission and to the Minister a copy of every such audited statement of accounts.

(4) Without limiting the generality of the powers conferred on the Auditor-General by sub-section (3), the Auditor-General by himself or his officers—

- (a) shall have right of access at all times to the books securities accounts and vouchers of the institution; and
- (b) shall be entitled to require from the officers servants and employees of the institution such information assistance and explanation as are necessary for the performance of his duties.

#### DIVISION 3—APPROVAL AND ACCREDITATION OF COURSES OF STUDY

28. (1) In this Division, unless the contrary intention appears—

“Approval” in relation to a course of study means approval to obtain or utilize funds supplied by the Government of Victoria or the Government of the Commonwealth for the course, and “approve” and “approved” have corresponding meanings.

“Course of study” means a study programme at a post-secondary education institution which if undertaken full-time would occupy not less than one year and which is required to be undertaken by persons wishing to become eligible for any degree, diploma or other academic award (except a post-graduate degree undertaken at a university otherwise than by coursework).

(2) For the purposes of this Division a post-secondary education institution which proposes to make a fundamental change to a course of study shall be deemed to propose to introduce a course of study not presently offered by it.

(3) The regulations may prescribe changes to a course of study which are to be treated as fundamental for the purposes of this Division.

29. (1) A post-secondary education institution which offers or proposes to introduce a course of study may apply in writing to the Commission for approval of that course of study.

(2) The Commission may in its discretion grant or refuse to grant approval of the course of study.

(3) The Commission shall as soon as practicable after deciding whether to grant or refuse to grant approval for a course of study notify the post-secondary education institution concerned of its decision.

(4) A post-secondary education institution shall not expend funds supplied by the Government of Victoria or the Government of the Commonwealth upon a course of study introduced after the commencement of this section unless that course has been approved by the Commission.

(5) A post-secondary education institution shall inform the Commission if it introduces after the commencement of this section a course of study which has not been approved by the Commission.

30. (1) The Governor in Council may, on the recommendation of the Minister, by Order published in the *Government Gazette* appoint eight persons to be a Board called the “Accreditation Board”.

(2) When appointing the members of the Accreditation Board the Governor in Council shall so far as he is able to do so ensure that the Board is representative of the range of interests involved in post-secondary education.

(3) The Governor in Council may appoint one member of the Accreditation Board as its chairman and another member as its deputy chairman.

(4) The chairman of the Accreditation Board shall have a deliberative vote and, in the event of an equality of votes on any question, a casting vote.

(5) The members of the Accreditation Board shall hold office on such terms and conditions, and shall be paid such fees and allowances, as are determined by the Minister.

(6) Five members of the Accreditation Board shall constitute a quorum.

(7) The chairman shall convene meetings of the Accreditation Board so often as may be necessary for the proper discharge of its functions.

(8) The deputy chairman shall perform the duties and may exercise the powers of the chairman whenever the chairman is unable to do so.

(9) The Governor in Council may at any time remove a member of the Accreditation Board from office.

(10) Subject to this section the Accreditation Board shall regulate its own procedure.

(11) The Governor in Council may at any time on the recommendation of the Minister dissolve the Accreditation Board.

31. (1) Subject to sub-section (2), the Commission may refer a course of study, whether or not the course is registered as accredited, to the Accreditation Board for investigation under section 33.

(2) The Commission shall not refer a course of study to the Accreditation Board if—

- (a) the course is offered or proposed to be introduced by a university; or
- (b) the course is offered or proposed to be introduced by a post-secondary institution in respect of which a declaration under section 32 is in force either generally or in the field of studies to which the course belongs.

(3) Where a post-secondary education institution offers or proposes to introduce a course of study, the institution may refer the course to the Accreditation Board for investigation under section 33 if, but only if—

- (a) the course is registered as accredited; or
- (b) the institution does not expend, and does not propose to expend, funds supplied by the Government of Victoria or the Government of the Commonwealth upon the course.

32. (1) The Accreditation Board may, if it is satisfied that the accreditation procedures of a post-secondary education institution other than a university are of a sufficiently high standard and that the academic standing of the institution is sufficiently high, either generally or in a specified field of studies, with the approval of the Commission declare that the institution is qualified to recommend to the Board that any course of study, or any course of study within that field of studies (as the case may be), which is offered or proposed to be introduced by the institution should be registered as accredited.

(2) The Accreditation Board may from time to time vary or revoke a declaration made by it under sub-section (1).

(3) The Accreditation Board shall notify the Commission of every declaration made by it under sub-section (1) and every variation or revocation made by it under sub-section (2).



33. (1) Where a course of study is referred to the Accreditation Board pursuant to section 31, the Board may, after consultation with the institution which offers or proposes to introduce the course appoint—

- (a) a committee (which may be composed wholly or partly of persons who are not members of the Board); or
- (b) a post-secondary education institution (including the institution which offers or proposes to introduce the course)—

to investigate, in accordance with such guidelines (if any) as the Board considers appropriate, and report to the Board on the content and academic standard of, and the facilities available in connection with, the course.

(2) The Accreditation Board shall not appoint any post-secondary education institution to carry out an investigation under sub-section (1) without the consent of the institution.

34. (1) Where an investigation is carried out under section 33 by a committee, the Commission may charge a reasonable fee for the investigation.

(2) Where an investigation is carried out under section 33 by a post-secondary education institution, the institution may charge a reasonable fee for the investigation.

(3) Any fee charged under this section shall be payable by the post-secondary education institution which offers or proposes to introduce a course of study which is investigated.

35. (1) A post-secondary education institution in respect of which a declaration under section 32 is in force may advise the Commission that—

- (a) where the declaration is general, any course of study which the institution offers or proposes to introduce; or
- (b) where the declaration relates to a specified field of studies, a course of study which the institution offers or proposes to introduce and which belongs to that field—

should be registered as accredited or struck off the Register of Accredited Courses.

(2) The Accreditation Board may advise the Commission that a course of study which is investigated under section 33 should be registered as accredited or struck off the Register of Accredited Courses.

36. (1) The Commission shall keep a Register of Accredited Courses in such a form as prescribed.

(2) Where the Commission receives advice from the Accreditation Board or a post-secondary education institution under section 35 that a course of study should be registered as accredited, the Commission shall register that course as accredited in the Register of Accredited Courses.

(3) The Commission shall strike off the Register of Accredited Courses any course of study which the Accreditation Board or a post-secondary education institution advises under section 35 should be struck off the Register of Accredited Courses or, with the consent of the post-secondary education institution concerned, any course of study which the Commission is satisfied is not offered by the institution.

37. (1) The Accreditation Board shall each year report to the Commission on its activities during the preceding twelve months.

(2) The Accreditation Board shall make such other reports to the Commission as the Commission may from time to time request.

(3) The Accreditation Board shall have such other functions, powers and duties as are conferred or imposed upon it by the regulations.

38. (1) Subject to this section, the Governor in Council on the recommendation of the Commission may by Order published in the *Government Gazette* confer upon the governing body of a post-secondary education institution the power to award a degree or diploma specified in the Order.

(2) The Governor in Council may in an Order published under sub-section (1) or by further Order make the power to award a specified degree or diploma subject to such terms and conditions as he thinks fit or remove or vary any term or condition to which the power is subject or impose additional terms and conditions on the exercise of the power.

(3) The Governor in Council shall not make an Order under this section conferring power upon the governing body of a post-secondary education institution to award a degree unless he has received from the Commission a certificate to the effect that the courses of study which lead to the degree are comparable in standard (whether or not they are similar in kind) to those which lead to the award of a degree at a university.

(4) Nothing in this section or in the regulations under this Act shall derogate from any power which a post-secondary education institution possesses otherwise than under this Act to award a degree or diploma.

#### DIVISION 4—REGULATIONS

39. (1) The Governor in Council may after consideration by the Minister of a report prepared by the Commission make regulations, not inconsistent with this Act, or with any Act establishing or declaring to have been established a post-secondary education institution or with any statutes or regulations made under such an Act, prescribing all matters that are required or permitted to be prescribed or are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) The regulations may amend Schedule 1 or Schedule 2 by inserting therein the name of an institution or proposed institution.

(3) The regulations may amend Schedule 1 or Schedule 2 by deleting therefrom the name of an institution or proposed institution but shall not delete therefrom the name of an existing institution unless the Governor in Council is satisfied that the council of the post-secondary education institution consents to the deletion.

(4) A regulation of a kind referred to in sub-section (2) shall not be made except after consideration by the Minister of a report by the Commission on the appropriate status of the institution or proposed institution concerned.’.

(11) At the end of the Principal Act there shall be inserted the following Schedules:

#### “SCHEDULE 1

University of Melbourne  
Monash University  
La Trobe University  
Deakin University

#### SCHEDULE 2

Ballarat College of Advanced Education  
Bendigo College of Advanced Education  
Caulfield Institute of Technology  
Footscray Institute of Technology

SCHEDULE 2—*continued*

Gippsland Institute of Advanced Education  
 Lincoln Institute of Health Sciences  
 Prahran College of Advanced Education  
 Preston Institute of Technology  
 Royal Melbourne Institute of Technology Limited  
 State College of Victoria at Burwood  
 State College of Victoria at Coburg  
 State College of Victoria at Frankston  
 State College of Victoria at Hawthorn  
 State College of Victoria—Institute of Catholic Education  
 State College of Victoria—Institute of Early Childhood Development  
 State College of Victoria at Melbourne  
 State College of Victoria, Rusden  
 State College of Victoria at Toorak  
 Swinburne College of Technology Limited  
 The Victorian College of the Arts  
 Victorian College of Pharmacy Limited  
 Warrnambool Institute of Advanced Education.”

—(*Hon. A. J. Hunt*)

Question—That clause 2, as amended, stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long (*Teller*)  
 J. W. S. Radford (*Teller*)  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward  
 K. I. Wright

Noes, 13

The Hon. G. A. S. Butler  
 Joan Coxsedg  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro (*Teller*)  
 H. A. Thomas (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative.

**LEGISLATIVE COUNCIL OF VICTORIA**  
**WEEKLY REPORT OF DIVISIONS IN**  
**COMMITTEE OF THE WHOLE COUNCIL**

—  
**No. 9**  
 —

**Tuesday, 15 April 1980**

No. 1—LOCAL GOVERNMENT (GENERAL AMENDMENT) BILL—Clause 8.

In section 167A (11) of the Principal Act in paragraph (c) for the expression commencing with the words “service with the council” and ending at the end of the paragraph there shall be substituted the words “all service with the council which is his employer at the time such period is computed shall be taken into account.”

—(*Hon. D. G. Crozier*)

Question—That clause 8 stand part of the Bill—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 34

The Hon. H. G. Baylor (*Teller*)  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 Joan Coxsedg (*Teller*)  
 D. G. Crozier  
 R. J. Eddy  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 C. J. Kennedy  
 D. E. Kent  
 R. I. Knowles  
 W. A. Landeryou  
 R. Lawson  
 R. J. Long  
 R. A. Mackenzie  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 G. A. Sgro  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

Noes, 4

The Hon. W. R. Baxter  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 K. I. Wright (*Teller*)

And so it was resolved in the affirmative.

## Wednesday, 16 April

### No. 1.—PROTECTION OF ANIMALS (AMENDMENT) BILL—Clause 2.

In section 3 of the Principal Act, for the interpretation of “Animal” there shall be substituted the following interpretation:

“Animal” means a member of any species of the sub-phylum vertebrata except a fish, human being or venomous reptile.’

—(Hon. W. V. Houghton)

Amendment proposed—That the interpretation of “Animal” be omitted with the view of inserting in place thereof—

“Animal” means every species of bird and every species of animal other than a human being.

—(Hon. R. A. Mackenzie)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. B. A. Chamberlain in the Chair.

Ayes, 26

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr. K. J. Foley  
 F. J. Granter  
 H. M. Hamilton (*Teller*)  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor (*Teller*)  
 H. R. Ward  
 K. I. Wright

Noes, 12

The Hon. Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas (*Teller*)  
 I. B. Trayling (*Teller*)  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

LEGISLATIVE COUNCIL OF VICTORIA  
WEEKLY REPORT OF DIVISIONS IN  
COMMITTEE OF THE WHOLE COUNCIL

No. 10

Wednesday, 23 April 1980

No. 1—DOG (AMENDMENT) BILL—Clause 2.

(1) In section 3 (2) of the Principal Act for the expression “sub-section (1) of sections 12, 19 and 20 and sub-section (3) of section 22” there shall be inserted the expression “sub-section (1) of section 12, section 15, sub-section (1) of sections 19 and 20, sub-section (3) of section 22 and paragraph (a) of sub-section (2) of section 27”.

(2) After section 3 (2) of the Principal Act there shall be inserted the following sub-section:

“(3) Where the owner of a dog is a minor a parent or guardian of that minor is deemed to be the owner for the purposes of this Act.”.

—(Hon. D. G. Crozier)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 29

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block (*Teller*)  
C. Bubb (*Teller*)  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr. K. J. Foley  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr. R. W. Howard  
A. J. Hunt  
Glyn. Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
J. A. Taylor  
H. R. Ward  
K. I. Wright

Noes, 12

The Hon. G. A. S. Butler (*Teller*)  
Joan Coxsedg  
R. J. Eddy (*Teller*)  
C. J. Kennedy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton

And so it was resolved in the affirmative.

## No. 2—PORT PHILLIP AUTHORITY (AMENDMENT) BILL—Clause 3.

(1) In section 4 of the Principal Act—

(a) for sub-section (1) there shall be substituted the following sub-section:

“(1) The Authority shall consist of five members of whom—

\* \* \* \* \*

—(Hon. W. V. Houghton)

Amendment proposed—That the word “five” in proposed sub-section (1) of section 4 of the Principal Act be omitted with the view of inserting in place thereof the word “nine”.

—(Hon. E. H. Walker)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn. Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson (*Teller*)  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

Noes, 15

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 B. P. Dunn  
 R. J. Eddy  
 D. M. Evans (*Teller*)  
 C. J. Kennedy (*Teller*)  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

And so it was resolved in the affirmative—Amendment negatived.

## No. 3—PORT PHILLIP AUTHORITY (AMENDMENT) BILL—Clause 8.

After section 10 of the Principal Act there shall be inserted the following sections:

‘10A. Subject to the general direction and control of the Minister, the Authority shall—

\* \* \* \* \*

(e) consider submissions in respect of proposed management plans and submit final management plans for the approval of the Minister.

\* \* \* \* \*

—(Hon. W. V. Houghton)

Amendment proposed—That the following paragraph be inserted to follow paragraph (e) of proposed section 10A:

“(f) co-ordinate works to be carried out by public authorities and committees of management of land in the Port Phillip Area”.

—(Hon. E. H. Walker)

Question—That the paragraph proposed to be inserted be so inserted—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 13

The Hon. G. A. S. Butler  
 Joan Coxsedg  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White (*Teller*)

Noes, 27

The Hon. H. G. Baylor  
 P. D. Block  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward (*Teller*)  
 W. V. Houghton  
 Dr. R. W. Howard (*Teller*)  
 A. J. Hunt  
 Glyn. Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 H. R. Ward

And so it passed in the negative.





WEEKLY REPORT OF DIVISIONS IN  
COMMITTEE OF THE WHOLE COUNCIL

—  
No. 11  
—

Wednesday, 30 April 1980

No. 1—HEALTH (SPECIAL ACCOMMODATION HOUSES) BILL—Clause 4.

(1) For section 220B (2) of the Principal Act there shall be substituted the following:

“(2) If a special accommodation house is not registered with the Commission the proprietor shall be guilty of an offence against this Act and liable to a penalty of \$5000.

(3) If there is in respect of a special accommodation house any contravention of or failure to comply with this Act or the regulations or the terms or conditions subject to which the registration operates, the proprietor shall be guilty of an offence against this Act and liable to a penalty of \$2000.

(4) If there is in respect of any exempt special accommodation house any contravention of or failure to comply with any of the terms, conditions or restrictions to which the exemption was made subject, the proprietor shall be guilty of an offence against this Act and liable to a penalty of \$2000.”.

\* \* \* \* \*

—(Hon. W. V. Houghton)

Amendment proposed—That the following sub-sections be inserted to follow proposed sub-section (4) of section 220B:

“(5) Where a person is convicted of any offence against any of the provisions of this Division he shall be guilty of a further offence against this Act if the offence continues after he is so convicted and he shall be liable to an additional penalty for each day during which the offence so continues of not more than—

(a) in the case of an offence under sub-section (2)—\$500; and

(b) in the case of offences under sub-sections (3) and (4)—\$200.

(6) Where any offence is committed by a person by reason of his failure to comply with any provision of this Division by or under which he is required or directed to do anything within a particular period that offence for the purposes of sub-section (5) shall be deemed to continue so long as the thing so required or directed to be done by him remains undone notwithstanding that such period has elapsed.”

—(Hon. J. M. Walton)

Question—That the sub-sections proposed to be inserted be so inserted—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 10

The Hon. G. A. S. Butler  
Joan Cocksedge  
R. J. Eddy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie (*Teller*)  
I. B. Trayling (*Teller*)  
E. H. Walker  
J. M. Walton  
D. R. White

Noes, 25

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb  
B. A. Chamberlain  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr. K. J. Foley  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton (*Teller*)  
V. T. Hauser (*Teller*)  
D. K. Hayward  
W. V. Houghton  
Dr. R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
N. B. Reid  
D. N. Saltmarsh  
Haddon Storey  
J. A. Taylor  
K. I. Wright

And so it passed in the negative.

## Thursday, 1 May

No. 2.—CROWN LAND (MINERAL SPRINGS) BILL—Clause 2.

The Principal Act is hereby amended as follows:

\* \* \* \* \*

(g) After section 72 (2) there shall be inserted the following sub-sections:

\* \* \* \* \*

(4) Moneys held in the Mineral Water Development Fund may be applied in respect of any mineral water development by the Minister of Lands after consultation with the Minister for State Development, Decentralization and Tourism for or towards the costs of—

- (i) promoting and assisting the commercial development of mineral water resource areas; and
- (ii) the carrying out of works and improvements the management and maintenance of such works and improvements and the provision of services directly associated with the extraction and utilization of mineral water.’

—(*Hon. F. J. Granter*)

Amendment proposed—That the words “in the municipality in which the moneys were raised” be inserted to follow “water development” in proposed sub-section (4):

—(*Hon. D. R. White*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—the Hon. W. M. Campbell in the Chair.

Ayes, 10

The Hon. G. A. S. Butler  
Joan Cocksedge  
R. J. Eddy (*Teller*)  
D. E. Kent (*Teller*)  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
E. H. Walker  
D. R. White

Noes, 24

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
F. J. Granter  
J. V. C. Guest (*Teller*)  
H. M. Hamilton  
D. K. Hayward  
W. V. Houghton  
Dr. R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
R. J. Long  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
N. F. Stacey  
Haddon Storey  
J. A. Taylor  
K. I. Wright (*Teller*)

And so it passed in the negative.

No. 3.—CROWN LAND (MINERAL SPRINGS) BILL—Clause 2.

(For text see division No. 2)

—(*Hon. F. J. Granter*)

Amendment proposed—That paragraph (i) in proposed sub-section (4) be omitted with a view to inserting in place thereof:

“(i) promoting the development of mineral water resources;

(ii) assisting the development by any person entitled to grant a lease pursuant to section 29A of the *Crown Land (Reserves) Act* 1978 of tourist and recreational facilities associated with the use of mineral water resources on any Crown land mineral springs reserve established pursuant to the *Crown Land (Reserves) Act* 1978 which is under the control of a committee of management; and”

—(*Hon. W. A. Landeryou*)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 22

The Hon. W. R. Baxter  
H. G. Baylor  
C. Bubb  
D. G. Crozier  
B. P. Dunn  
D. M. Evans (*Teller*)  
F. J. Granter  
J. V. C. Guest  
H. M. Hamilton  
D. K. Hayward  
W. V. Houghton  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson

Noes, 11

The Hon. G. A. S. Butler (*Teller*)  
Joan Cocksedge (*Teller*)  
R. J. Eddy  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
J. M. Walton

R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

NO. 4—ARCHAEOLOGICAL AND ABORIGINAL RELICS PRESERVATION (AMENDMENT) BILL—Clause 5.

(1) Section 5 (1) of the Principal Act shall be amended as follows:

(a) For the words “ten honorary members” there shall be substituted the words “eleven members”;

\* \* \* \* \*

(*Hon. W. V. Houghton*)

Motion made and question put—That it be a suggestion to the Assembly that they make the following amendment in the Bill, viz:

Clause 5 (1) (a), omit “eleven” and insert “twelve”.

—(*Hon. W. V. Houghton*)

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 24

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh (*Teller*)  
 N. F. Stacey (*Teller*)  
 Haddon Storey  
 J. A. Taylor

Noes, 9

The Hon. G. A. S. Butler  
 Joan Cocksedge  
 R. J. Eddy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 H. A. Thomas (*Teller*)  
 E. H. Walker  
 D. R. White (*Teller*)

And so it was resolved in the affirmative.

## LEGISLATIVE COUNCIL OF VICTORIA

## WEEKLY REPORT OF DIVISIONS IN

## COMMITTEE OF THE WHOLE COUNCIL

---

 No. 12
 

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Tuesday, 6 May 1980

No. 1.—PENSIONERS' RATES REMISSION BILL—Clause 2.

In—

- (a) section 239EA (4) of the *Melbourne and Metropolitan Board of Works Act* 1958;
- (b) section 159A (4) of the *Mildura Irrigation and Water Trusts Act* 1958; and
- (c) section 360A (4) of the *Water Act* 1958 for paragraph (a) there shall be substituted the following paragraph:

'(a) "the prescribed amount" means—

- (i) where the pensioner is the only person liable to pay the rate or where the only other person liable to pay the rate is the spouse of the pensioner—one-half of an amount equal to the rate, but not exceeding the amount of \$60 per annum in respect of the rate;
- (ii) where, together with one or more other persons, the pensioner is liable to pay the rate—one-half of an amount equal to the rate, but not exceeding the amount of \$60 per annum in respect of the rate—divided by the total number of persons liable to pay the rate; and
- (iii) where, together with one or more other persons, the pensioner and the spouse of the pensioner are liable to pay the rate—one-half of an amount equal to the rate, but not exceeding the amount of \$60 per annum in respect of the rate—divided by the total number of persons liable to pay the rate less one person;'

—(Hon. Haddon Storey)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

 The Hon. W. R. Baxter  
 H. G. Baylor  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton

Noes, 12

 The Hon. G. A. S. Butler  
 Joan Coxsedg  
 R. J. Eddy  
 C. J. Kennedy (*Teller*)  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 E. H. Walker  
 J. M. Walton (*Teller*)  
 D. R. White

Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long (*Teller*)  
 J. W. S. Radford (*Teller*)  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

And so it was resolved in the affirmative.

No. 2.—PENSIONERS' RATES REMISSION BILL—Clause 3.

In section 124AA (4) of the *Geelong Waterworks and Sewerage Act 1958* for paragraph (a) there shall be substituted the following paragraph:

'(a) "the prescribed amount" means—

- (i) where the pensioner is the only person liable to pay the rate or where the only other person liable to pay the rate is the spouse of the pensioner—one-half of an amount equal to the rate, but not exceeding a total amount of \$60 per annum in respect of the water rate referred to in section 124AA (1) (a) and the total amount of \$60 per annum in respect of the rates referred to in section 124AA (1) (b);
- (ii) where, together with one or more other persons, the pensioner is liable to pay the rate—one-half of an amount equal to the rate, but not exceeding a total amount of \$60 per annum in respect of the water rate referred to in section 124AA (1) (a) and a total amount of \$60 per annum in respect of the rates referred to in section 124AA (1) (b)—divided by the total number of persons liable to pay the rate; and
- (iii) where, together with one or more other persons, the pensioner and the spouse of the pensioner are liable to pay the rate—one-half of an amount equal to the rate, but not exceeding a total amount of \$60 per annum in respect of the water rate referred to in section 124AA (1) (a) and a total amount of \$60 per annum in respect of the rates referred to in section 124AA (1) (b)—divided by the total number of persons liable to pay the rate less one person;'

—(*Hon. Haddon Storey*)

Question—That clause 3 stand part of the Bill—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

The Hon. W. R. Baxter  
 G. H. Baylor  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest  
 H. M. Hamilton  
 V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt

Noes, 13

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent (*Teller*)  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker  
 J. M. Walton  
 D. R. White

Glyn Jenkins  
 R. I. Knowles (*Teller*)  
 R. Lawson (*Teller*)  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

And so it was resolved in the affirmative.

### Wednesday, 7 May

No. 3.—GEE LONG PERFORMING ARTS CENTRE TRUST BILL—Clause 7.

\* \* \* \* \*

(4) A person of or over the age of 72 years shall not be appointed a member of the Trust.

\* \* \* \* \*

—(*Hon. A. J. Hunt*)

Amendment proposed—That the words “Except for the initial appointments of persons to the Trust” be inserted before the words “A person” in sub-clause (4).

—(*Hon. R. A. Mackenzie*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. V. T. Hauser in the Chair.

Ayes, 14

The Hon. W. R. Baxter  
 G. A. S. Butler (*Teller*)  
 Joan Coxsedg (*Teller*)  
 B. P. Dunn  
 R. J. Eddy  
 D. M. Evans  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling  
 E. H. Walker

Noes, 21

The Hon. H. G. Baylor (*Teller*)  
 P. D. Block (*Teller*)  
 C. Bubb  
 B. A. Chamberlain  
 D. G. Crozier  
 Dr. K. J. Foley  
 F. J. Granter  
 J. V. C. Guest  
 D. K. Hayward  
 W. V. Houghton  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor

And so it passed in the negative.

### Thursday, 8 May

No. 4.—TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL—Clause 1.

\* \* \* \* \*

(4) This Act is divided into Parts as follows:

Part I.—Preliminary ss. 1–4.



Part II.—Transfer of Staff of Board to the Public Service ss. 5–6.

Part III.—Abolition of the Board ss. 7–9.

Part IV.—Planning Consultative Council s. 10.

Part V.—Miscellaneous ss. 11–16.

—(Hon. A. J. Hunt)

Amendment proposed—That the expression “4” in the reference to Part I. in sub-clause (4) be omitted with a view to inserted in place thereof the expression “3”.

—(Hon. E. H. Walker)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 25

The Hon. W. R. Baxter  
H. G. Baylor  
P. D. Block  
C. Bubb (*Teller*)  
B. A. Chamberlain (*Teller*)  
D. G. Crozier  
B. P. Dunn  
D. M. Evans  
Dr. K. J. Foley  
F. J. Granter  
J. V. C. Guest  
V. T. Hauser  
D. K. Hayward  
W. V. Houghton  
Dr. R. W. Howard  
A. J. Hunt  
Glyn Jenkins  
R. I. Knowles  
R. Lawson  
J. W. S. Radford  
N. B. Reid  
D. N. Saltmarsh  
Haddon Storey  
J. A. Taylor  
K. I. Wright

Noes, 12

The Hon. G. A. S. Butler  
Joan Coxsedge  
R. J. Eddy (*Teller*)  
C. J. Kennedy (*Teller*)  
D. E. Kent  
W. A. Landeryou  
R. A. Mackenzie  
G. A. Sgro  
H. A. Thomas  
I. B. Trayling  
E. H. Walker  
D. R. White

And so it was resolved in the affirmative—Amendment negatived.

No. 5.—TOWN AND COUNTRY PLANNING (AMALGAMATION) BILL—Clause 10.

For sections 4, 5, 6, 6A and 7 of the *Town and Country Planning Act 1961* there shall be substituted the following sections:

“4 (1) For the purposes of this Act there shall be established a Council to be known as the Planning Consultative Council.

(2) The Council shall consist of seven members appointed by the Governor in Council of whom—

(a) one (who shall be the chairman) shall be a person having knowledge and experience in town and country planning and who is nominated by the Minister;

(b) two shall be persons having experience in local government and in community affairs and who are nominated by the Minister after consideration of panels of names submitted to him under this section by councils of municipalities and organizations concerned with local government and community affairs;

- (c) two shall be persons having experience in town and country planning and who are nominated by the Minister after consideration of panels of names submitted to him under this section by organizations concerned with town and country planning;
- (d) one shall be a person who is nominated by the Minister after consideration of panels of names submitted to him under this section by industrial or commercial organizations; and
- (e) one shall be a person who is concerned with the balanced development of the State and who has regard to the need to conserve the natural resources of the State in the light of all relevant social economic environmental ecological and scientific factors after consideration of panels of names submitted to him under this section by organizations concerned with the balanced development of Victoria and who is nominated by the Minister.

\* \* \* \* \*

—(Hon. A. J. Hunt)

Amendment proposed—That paragraphs (a) to (e) of sub-section (2) of proposed section 4 be omitted with a view to inserting in place thereof—

- (a) one (who shall be the chairman) shall be a person having knowledge and experience in town and country planning and who is nominated by the Minister;
- (b) one shall be a person having experience in local government and who is nominated by the Minister;
- (c) one shall be a person having experience in community affairs and who is nominated by the Minister;
- (d) one shall be a person having experience in economic planning and who is nominated by the Minister after consideration of panels of names submitted to him under this section by organizations concerned with economic planning;
- (e) one shall be a person having experience in social planning and who is nominated by the Minister after consideration of panels of names submitted to him under this section by organizations concerned with social planning;
- (f) one shall be a person who is nominated by the Minister after consideration of panels of names submitted to him under this section by industrial or commercial organizations; and
- (g) one shall be a person who is nominated by the Minister after consideration of panels of names submitted to him under this section by organizations concerned with the conservation of natural resources.

—(Hon. E. H. Walker)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. W. M. Campbell in the Chair.

Ayes, 26

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans (*Teller*)  
 Dr. K. J. Foley (*Teller*)  
 F. J. Granter  
 J. V. C. Guest

Noes, 12

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie  
 G. A. Sgro  
 H. A. Thomas  
 I. B. Trayling (*Teller*)

V. T. Hauser  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

E. H. Walker  
 D. R. White (*Teller*)

And so it was resolved in the affirmative—Amendment negatived.

NO. 6.—TRANSPORT (ROAD FUNDS) BILL—Clause 4.

Notwithstanding anything in any Act the Country Roads Board Fund may be applied in payment of any costs incurred with the agreement of the Country Roads Board in purchasing any property abutting Alexandra Parade and in carrying out any noise amelioration measures on or in the vicinity of any property abutting Alexandra Parade.

—(*Hon. D. G. Crozier*)

Amendment proposed—That the words “including Alexandra Parade between Gold Street and Hoddle Street in the City of Collingwood and between Nicholson Street and Brunswick Street in the City of Fitzroy” be inserted after “Alexandra Parade” (where first occurring).

—(*Hon. G. A. Sgro*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—Hon. W. M. Campbell in the Chair.

Ayes, 12

The Hon. G. A. S. Butler  
 Joan Coxsedge  
 R. J. Eddy  
 C. J. Kennedy  
 D. E. Kent  
 W. A. Landeryou  
 R. A. Mackenzie (*Teller*)  
 G. A. Sgro  
 H. A. Thomas (*Teller*)  
 I. B. Trayling  
 E. H. Walker  
 D. R. White

Noes, 25

The Hon. W. R. Baxter  
 H. G. Baylor  
 P. D. Block  
 C. Bubb  
 D. G. Crozier  
 B. P. Dunn  
 D. M. Evans  
 F. J. Granter  
 J. V. C. Guest (*Teller*)  
 V. T. Hauser (*Teller*)  
 D. K. Hayward  
 W. V. Houghton  
 Dr. R. W. Howard  
 A. J. Hunt  
 Glyn Jenkins  
 R. I. Knowles  
 R. Lawson  
 R. J. Long  
 J. W. S. Radford  
 N. B. Reid  
 D. N. Saltmarsh  
 N. F. Stacey  
 Haddon Storey  
 J. A. Taylor  
 K. I. Wright

And so it passed in the negative.

PARLIAMENT OF VICTORIA

# MINUTES OF THE PROCEEDINGS

OF THE

# JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE  
STATE OF VICTORIA

*To choose—*

- (1) Three Members to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences;
  - (2) Three Members to be recommended for appointment to the Council of the Victoria Institute of Colleges;
  - (3) One Member to be recommended for appointment to the Council of Adult Education;
  - (4) One Member to be recommended for appointment to the Council of Monash University;
- and
- (5) Three Members to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

**6 June 1979**

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*Held in accordance with the provisions of section 7 of the Victorian Institute of Marine Sciences Act 1974 (No. 8607), the Victoria Institute of Colleges Act 1965 (No. 7291), the Monash University Act 1958 (No. 6184), respectively, section 66 of the Education Act 1958 (No. 6240) and section 5 of the Victorian Institute of Secondary Education Act 1976 (No. 8904).*

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# MINUTES OF THE PROCEEDINGS

*of the*

## JOINT SITTING

*held in the*

### LEGISLATIVE ASSEMBLY CHAMBER

**Wednesday, 6 June 1979**

*The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber—*

1 ELECTION OF PRESIDENT—The Premier, The Honorable R. J. Hamer, E.D., M.P., moved—That the Honorable William Gordon Fry, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting; which motion, being seconded by the Leader of the Opposition, F. N. Wilkes, Esquire, M.P., was resolved in the affirmative.

The Honorable William Gordon Fry, having expressed his acknowledgement for the honor conferred upon him by the Joint Sitting, then took the Chair.

2 RULES OF PROCEDURE—The President announced that section 7 of the *Victorian Institute of Marine Sciences Act 1974*, the *Victoria Institute of Colleges Act 1965*, the *Monash University Act 1958*, respectively, section 66 of the *Education Act 1958*, and section 5 of the *Victorian Institute of Secondary Education Act 1976* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the Sitting. Accordingly, the Honorable R. J. Hamer, E.D., M.P., submitted the following rules of procedure for the consideration of Honorable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:

1 On any debate arising the same shall be conducted according to Parliamentary usage.

2 A Member, addressing himself to the President, shall propose Members/a Member to be recommended for appointment to the..... (as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended, for appointment, if chosen.

3 If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.

4 If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.

- 5 In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked his ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.
- 6 The President shall appoint three Members to be scrutineers, who, with the Clerks, shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.
- 7 No informal vote shall be taken into account.
- 8 The President shall be entitled to a vote.
- 9 As soon as a ballot has been concluded the President shall declare—  

“That.....have/has been chosen  
to be recommended for appointment to the.....  
.....(as the case may be).
- 10 The President shall advise the appropriate Minister of the Members chosen to be recommended for appointment to the respective governing bodies.
- 11 The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

F. N. Wilkes, Esquire, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE VICTORIAN INSTITUTE OF MARINE SCIENCES—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honorable Members with regard to three Members to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.

The Honorable R. J. Hamer, E.D., M.P., proposed Bruce James Evans, Esquire, M.P., Aurel Smith, Esquire, M.P., and Gordon Francis Stirling, Esquire, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by F. N. Wilkes, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that Bruce James Evans, Esquire, M.P., Aurel Smith, Esquire, M.P., and Gordon Francis Stirling, Esquire, M.P., had been chosen to be recommended for appointment to the Council of the Victorian Institute of Marine Sciences.

4 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF VICTORIA INSTITUTE OF COLLEGES—The President announced that he was now prepared to receive proposals from Honorable Members with regard to three Members to be recommended for appointment to the Council of Victoria Institute of Colleges.

The Honorable R. J. Hamer, E.D., M.P., proposed the Honorable William Montgomery Campbell, M.L.C., Thomas William Roper, Esquire, M.P., and Thomas Campion Trewin, Esquire, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by P. Ross-Edwards, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honorable William Montgomery Campbell, M.L.C., Thomas William Roper, Esquire, M.P., and Thomas Campion Trewin, Esquire, M.P., had been chosen to be recommended for appointment to the Council of the Victoria Institute of Colleges.

5 MEMBER PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF ADULT EDUCATION—The President announced that he was now prepared to receive proposals from Honorable Members with regard to a Member to be recommended for appointment to the Council of Adult Education.

The Honorable R. J. Hamer, E.D., M.P., proposed the Honorable William Albert Landeryou, M.L.C., for recommendation for appointment to the Council, and stated that he was willing to be recommended, if chosen, which proposal was seconded by F. N. Wilkes, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honorable William Albert Landeryou, M.L.C., had been chosen to be recommended for appointment to the Council of Adult Education.

6 MEMBER PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF MONASH UNIVERSITY—The President announced that he was now prepared to receive proposals from Honorable Members with regard to a Member to be recommended for appointment to the Council of Monash University.

The Honorable R. J. Hamer, E.D., M.P., proposed the Honorable Peter David Block, M.L.C., for recommendation for appointment to the Council, and stated that he was willing to be recommended, if chosen, which proposal was seconded by P. Ross-Edwards, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honorable Peter David Block, M.L.C., had been chosen to be recommended for appointment to the Council of Monash University.

7 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE VICTORIAN INSTITUTE OF SECONDARY EDUCATION—The President announced that he was now prepared to receive proposals from Honorable Members with regard to three Members to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

The Honorable R. J. Hamer, E.D., M.P., proposed the Honorable Bernard Phillip Dunn, M.L.C., Charles Race Thorson Mathews, Esquire, M.P., and Donald James Mackinnon, Esquire, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by F. N. Wilkes, Esquire, M.P.



The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honorable Bernard Phillip Dunn, M.L.C., Charles Race Thorson Mathews, Esquire, M.P., and Donald James Mackinnon, Esquire, M.P., had been chosen to be recommended for appointment to the Council of the Victorian Institute of Secondary Education.

- 8 VOTE OF THANKS TO THE PRESIDENT—The Honorable R. J. Hamer, E.D., M.P., moved a vote of thanks to the President, which motion was seconded by F. N. Wilkes, Esquire, M.P., and carried unanimously.

The President, having returned thanks, declared the Joint Sitting closed.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

J. H. CAMPBELL  
*Clerk of the Legislative Assembly*

PARLIAMENT OF VICTORIA

# MINUTES OF THE PROCEEDINGS

OF THE

# JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE  
STATE OF VICTORIA

*To choose—*

- (1) Three Members to be recommended for appointment to the Council of the Monash University and
- (2) One Member to be recommended for appointment to the Council of Adult Education.

**20 November 1979**

---

*Held in accordance with the provisions of section 7 of the  
Monash University Act 1958 (No. 6184) and  
section 66 of the Education Act 1958 (No. 6240).*

---

MELBOURNE  
F. D. ATKINSON, GOVERNMENT PRINTER  
1979



# MINUTES OF THE PROCEEDINGS

*of the*

## JOINT SITTING

*held in the*

### LEGISLATIVE ASSEMBLY CHAMBER

**Tuesday, 20 November 1979**

*The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber—*

- 1 ELECTION OF PRESIDENT—The Premier, the Honorable R. J. Hamer, E.D., M.P., moved—That the Honorable Sidney James Plowman, M.P., Speaker of the Legislative Assembly, be appointed President of this Joint Sitting; which motion, being seconded by the Deputy Leader of the Opposition, R. C. Fordham, Esquire, M.P., was resolved in the affirmative.

The Honorable Sidney James Plowman, having expressed his acknowledgement for the honor conferred upon him by the Joint Sitting, then took the Chair.

- 2 RULES OF PROCEDURE—The President announced that section 7 of the *Monash University Act 1958* and section 66 of the *Education Act 1958* provided that the Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the Sitting. Accordingly, the Honorable R. J. Hamer, E.D., M.P., submitted the following rules of procedure for the consideration of Honorable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:

- 1 On any debate arising the same shall be conducted according to Parliamentary usage.
- 2 A Member, addressing himself to the President, shall propose Members/a Member to be recommended for appointment to the.....  
(as the case may be) and any such proposal shall be duly seconded. When any Member is so proposed, his proposer shall state that such Member is willing to be so recommended for appointment, if chosen.
- 3 If no more than the required number of Members are proposed and seconded for the various vacancies, the President shall declare such Member(s) as having been chosen to be recommended for appointment thereto.
- 4 If more than the required number of Members is proposed and seconded in respect of the vacancies, the Member(s) to be recommended for appointment shall be chosen by ballot in the following manner.
- 5 In the ballot for the vacancies on each governing body, the President shall announce the names of the Members proposed and shall cause each Member present to be provided with a ballot paper initialled by the Clerks of the two Houses. The Member shall write on such ballot paper

the name(s) of the Member(s) he wishes to be recommended for appointment; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked his ballot paper as provided, the Member voting shall place it in a ballot box provided for the purpose.

6 The President shall appoint three Members to be scrutineers, who, with the Clerks, shall ascertain the number of votes for each Member. The Member who shall be reported to have the greatest number of votes shall, in the case of a single vacancy, be deemed to be duly chosen to be recommended for appointment. In the case of a multiple vacancy, the appropriate number of Members who shall be reported to have the greatest number of votes shall be deemed to be duly chosen to be recommended for appointment. In case of doubt arising through two or more Members having an equality of votes, the scrutineers, by drawing lots, shall determine which of such Members shall be duly chosen to be recommended for appointment.

7 No informal vote shall be taken into account.

8 The President shall be entitled to a vote.

9 As soon as a ballot has been concluded the President shall declare—

“That..... have/has been  
chosen to be recommended for appointment to.....  
..... (as the case may be).”

10 The President shall advise the appropriate Minister of the Members chosen to be recommended for appointment to the respective governing bodies.

11 The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot papers safely for one year and thereafter destroy them.

R. C. Fordham, Esquire, M.P., seconded the motion.

Question—put and resolved in the affirmative.

3 MEMBERS PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF THE MONASH UNIVERSITY—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honorable Members with regard to three Members to be recommended for appointment to the Council of the Monash University.

The Honorable R. J. Hamer, E.D., M.P., proposed Ian Robert Cathie, Esquire, M.P., the Honorable James Vincent Chester Guest, M.L.C., and Neil Malcolm McInnes, M.P., for recommendation for appointment to the Council, and stated that they were willing to be recommended, if chosen, which proposal was seconded by R. C. Fordham, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that Ian Robert Cathie, Esquire, M.P., the Honorable James Vincent Chester Guest, M.L.C., and Neil Malcolm McInnes, M.P., had been chosen to be recommended for appointment to the Council of the Monash University.

4 MEMBER PROPOSED AND CHOSEN TO BE RECOMMENDED FOR APPOINTMENT TO THE COUNCIL OF ADULT EDUCATION—The President announced that he was now prepared to receive proposals from Honorable Members with regard to a Member to be recommended for appointment to the Council of Adult Education.

The Honorable R. J. Hamer, E.D., M.P., proposed the Honorable Evan Herbert Walker, M.L.C., for recommendation for appointment to the Council, and

stated that he was willing to be recommended, if chosen, which proposal was seconded by R. C. Fordham, Esquire, M.P.

The President, having asked if there were any further proposals and there being no further proposals thereupon declared that the Honorable Evan Herbert Walker, M.L.C., had been chosen to be recommended for appointment to the Council of Adult Education.

5 VOTE OF THANKS TO THE PRESIDENT—The Honorable R. J. Hamer, E.D., M.P., moved a vote of thanks to the President, which motion was seconded by R. C. Fordham, Esquire, M.P., and carried unanimously.

The President, having returned thanks, declared the Joint Sitting closed.

A. R. B. McDONNELL  
*Clerk of the Legislative Council*

J. H. CAMPBELL  
*Clerk of the Legislative Assembly*



PARLIAMENT OF VICTORIA

**MINUTES OF THE PROCEEDINGS**

**OF THE**

**JOINT SITTING**

**OF THE HOUSES OF PARLIAMENT OF THE  
STATE OF VICTORIA**

*To choose a person to hold the place in the Senate*

Rendered vacant by the Resignation of  
Senator The Honorable James Joseph Webster

**11 March 1980**

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*Held in accordance with the provisions of section 15 of the  
Commonwealth of Australia Constitution Act.*

---

MELBOURNE  
F. D. ATKINSON, GOVERNMENT PRINTER  
1980





# MINUTES OF THE PROCEEDINGS

*of the*

## JOINT SITTING

*held in the*

### LEGISLATIVE ASSEMBLY CHAMBER

**Tuesday, 11 March 1980**

*The Members of the Legislative Council and the Members of the Legislative Assembly having, pursuant to resolutions of the two Houses, assembled in the Legislative Assembly Chamber—*

1 ELECTION OF PRESIDENT.—The Honorable the Premier, R. J. Hamer, M.P., rose and moved—That the Honorable F. S. Grimwade, President of the Legislative Council, be appointed President of this Joint Sitting, which motion, being seconded by the Leader of the Opposition, F. N. Wilkes, Esquire, M.P., was resolved in the affirmative.

The Honorable F. S. Grimwade, having expressed his acknowledgments for the honour conferred upon him by the Joint Sitting, then took the Chair.

2 RULES OF PROCEDURE.—The Honorable R. J. Hamer, M.P., submitted the following rules of procedure for the consideration of Honorable Members, and moved that they be adopted as the rules of procedure of this Joint Sitting:

1 On any debate arising the same shall be conducted according to parliamentary usage.

2 A Member, addressing himself to the President, shall propose a person to hold the vacant place in the Senate and such proposal shall be duly seconded. When any person is so proposed his proposer shall state to the Members present that such person is willing to hold the vacant place if chosen.

3 If only one person be proposed and seconded, the President shall declare—  
“That.....has been chosen  
to hold the place in the Senate rendered vacant by the resignation  
of Senator the Honorable James Joseph Webster.”

4 If more than one person be proposed and seconded, the person to hold the vacant place shall, subject to the following rules, be chosen by ballot.

5 Before giving directions to proceed with the ballot, the President shall ask if any Member desires to propose any other person to hold the vacant place, and, no other person being proposed, the ballot shall be proceeded with, after which no person shall be proposed.

6 Each Member present shall be provided with a ballot-paper initialled by the Clerks of the two Houses, and shall write thereon the name of one of the persons duly proposed, and shall place his ballot-paper in the ballot-box.

- 7 If two or more persons be proposed and seconded, the proposer of each of such persons shall name some Member present to be a scrutineer. The scrutineers, with the Clerks of the two Houses, shall retire and ascertain the number of votes for each person; and the scrutineers shall make a written report of the result to the President showing the number of votes for each person.
- 8 No informal vote shall be taken into account.
- 9 If on the first ballot no person shall have received an absolute majority of the votes polled, a second ballot shall be taken, and the name of the person who shall have received the fewest votes at the first ballot shall be excluded; but if at the first ballot the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall by drawing lots determine which of such persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.
- 10 Until one of the persons proposed obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, successive ballots shall be taken, and at each such ballot the name of the person who shall have received the fewest votes at the preceding ballot shall be excluded.
- 11 If on any ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, a special ballot shall be taken at which the names of only those persons shall be submitted, and the name of the person having the fewest votes at such special ballot shall be excluded; but if on any special ballot it shall be necessary to decide between two or more persons as to which one is to be excluded from a subsequent ballot through the number of votes for such persons being equal, the scrutineers by drawing lots shall determine which one of such persons shall be excluded, and the name of the person last drawn shall be excluded.
- 12 If at any ballot, other than the first ballot or a special ballot hereinbefore provided for, the names of only two persons be submitted and the number of votes for such persons be equal, the scrutineers shall, by drawing lots, determine which of those persons shall be chosen to hold the vacant place, and the person whose name shall be first drawn shall be deemed to have been duly chosen.
- 13 As soon as any person obtains an absolute majority of the votes polled, or (as the case may be) is chosen by lot to hold the vacant place, the President shall declare—
 

“That.....has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honorable James Joseph Webster.”
- 14 The President shall in all cases be entitled to a vote.
- 15 The records of the proceedings and the ballot-papers shall be retained by the Clerk of the Parliaments of the State of Victoria, who shall be the custodian thereof, and shall keep the ballot-papers safely for one year and thereafter destroy them.

F. N. Wilkes, Esquire, M.P., seconded the motion.

Question—put and resolved in the affirmative.

3 PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT PLACE IN THE SENATE.—The President announced that, the rules having been adopted, he was now prepared to receive proposals from Honorable Members of persons to hold the place in the Senate rendered vacant by the resignation of Senator the Honorable James Joseph Webster.

P. Ross-Edwards, M.P., proposed Laurence William Neal, Esquire, as the person to hold the vacant place, and stated that such person was willing to hold the vacant place, if chosen, which proposal was seconded by the Honorable R. J. Hamer, M.P.

The President having asked if any Honorable Member desired to propose any other person to hold the vacant place, and no other person being proposed, the President thereupon declared that Laurence William Neal, Esquire, had been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honorable James Joseph Webster.

4 NOTIFICATION TO HIS EXCELLENCY THE GOVERNOR.—The Honorable R. J. Hamer, M.P., moved—That the President inform His Excellency the Governor that Laurence William Neal, Esquire, has been chosen to hold the place in the Senate rendered vacant by the resignation of Senator the Honorable James Joseph Webster, which motion was seconded by P. Ross-Edwards, M.P.

Question—put and resolved in the affirmative.

5 VOTE OF THANKS TO THE PRESIDENT.—The Honorable R. J. Hamer, M.P., moved a vote of thanks to the President, which motion was seconded by F. N. Wilkes, Esquire, M.P., and carried unanimously.

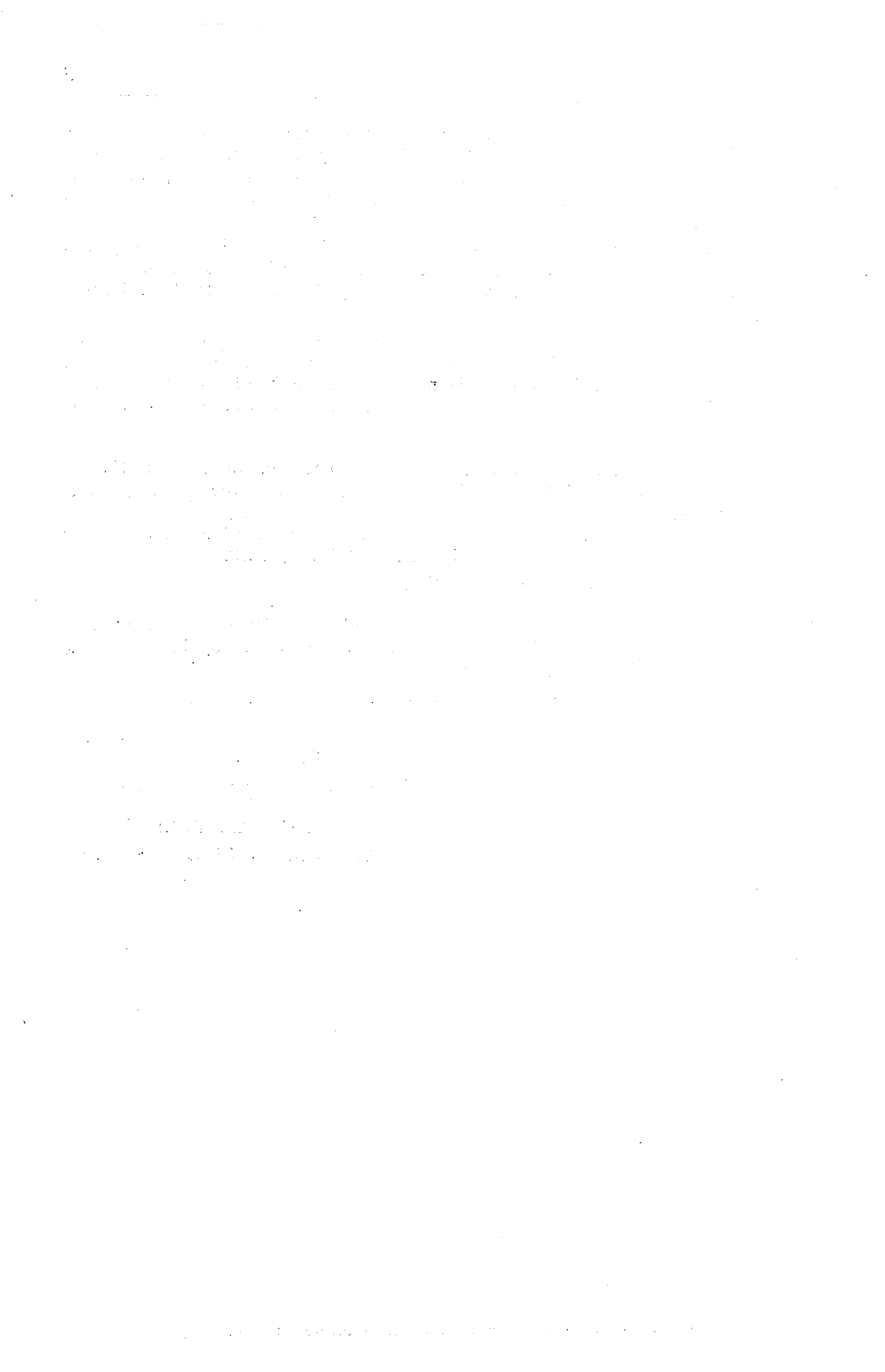
The President, having returned thanks, declared the Joint Sitting closed.

R. K. EVANS

*Acting Clerk of the Legislative Council*

J. H. CAMPBELL

*Clerk of the Legislative Assembly*



VICTORIA

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*Green Paper*

on

**STRATEGIES AND STRUCTURES FOR  
EDUCATION IN VICTORIA**

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*Ordered by the Legislative Council to be printed*

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Presented for discussion by:—

The Hon. A. J. Hunt, M.L.C.,  
Minister of Education

and

The Hon. Norman Lacy, M.P.,  
Assistant Minister of Education



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## 1. INTRODUCTION

- 1.1 Shortly after their appointment in May 1979 the Minister and Assistant Minister of Education announced a review of education policies designed to identify clearly the aims and objectives of education in Victoria and to determine the strategies, policies, structures, and administrative changes best calculated to assist in achieving those aims and objectives.
- 1.2 Dr. Tom Moore, Deputy Director-General of Education was asked to prepare an Education Department point of view and a Consultative Committee of educators and interested lay people was formed to provide an independent perspective and to analyse submissions from the public.
- 1.3 The first stage of the review culminated in the presentation to Parliament on the 12th of December, 1979, of a Ministerial Statement on the "Aims and Objectives of Education in Victoria".
- 1.4 In the light of the "Aims and Objectives" Dr. Moore and the Consultative Committee have considered further submissions received, and again worked in their respective fields to produce views on the strategies and structures to be adopted to achieve the aims and objectives. The Director-General's Office and his Policy Committee, have also considered the implications of a wide range of options and analysed responses to a valuable document entitled "Pros and Cons".
- 1.5 This Green Paper is the result of that background work, and the contributions of many people and organisations. It is a discussion paper. It offers a series of options for consideration. No firm decisions have yet been made and the Government is not at this stage committed to any particular course of action. This document seeks however to provide a positive starting point from which organisations and

individuals interested in the future of education in this State can develop views and practical ideas designed to assist the Government in framing and implementing policies best equipped to achieve the aims and objectives of education.

## 2. ESTABLISHING A PERSPECTIVE

2.1 When Victorians established a free, compulsory, and secular education system in 1872 they demonstrated the value they placed on universal education.

They assumed that their free, compulsory, and secular education system would not only raise the level of general literacy but would also produce a people committed to the concept of a liberal democracy in which citizens would play an intelligent and informed part in influencing their own destinies.

2.2 The aims of the founders have been achieved to a remarkable degree. By any standard the Victorian populace of 1980 is infinitely better educated than it was in 1872. The existence of a powerful central bureaucracy was an important instrument for achieving a reasonable level of scholarly achievement and a degree of equality of opportunity.

2.3 The quality of universal education has been such that today's populace feels qualified to demand a say in matters affecting the education of children in Victoria. In response to this demand the Education Department has made determined efforts to decentralise the administration of education. The establishment of education regions has decentralised certain administrative arrangements and encouraged local initiative.

2.4 However there is a difference between decentralisation of administration and decentralisation of authority. In fact, in some areas, Victoria has led most other Australian States

and territories in providing a degree of decentralisation of authority: the councils of technical schools and kindergarten committees have long had important powers of co-ordination and allocation of resources.

- 2.5 Educational theorists have long recognised that the key elements in the educative process are pupil, parent, teacher, and environment.

The best educational interaction is widely acknowledged to be that which takes place between the child on the one hand and a teacher and parent, in a harmonious relationship, on the other.

- 2.6 This has sometimes been used to found an argument that schools could be left solely to parental and teacher governance. But such a view fails to acknowledge the wider demands that society as a whole places upon the school as the vehicle by which commonly accepted standards and values pass from one generation to the next, or the needs of the State for intelligent, participating citizens who can meet broadly based requirements, or the local community's desire for competent, reliable young people who can play their parts in the life of that community whether as employees, employers or otherwise.

- 2.7 The Victorians of the 1870's set up an education system designed to provide their children with equality of educational opportunity. The intervening century has seen Victorian society become more complex and multi-faceted. To provide equality of educational opportunity for groups as diverse as Aborigines, ethnic communities, residents of small country towns, and handicapped people of various kinds is infinitely more difficult than the task that faced the citizens of 1872. Inevitably there has been criticism. The existence of such criticism, however, neither proves its validity nor points necessarily the directions that future policies should follow.

- 2.8 There is an almost universal belief, however unrealistic, that increased funding will solve every problem. There is insufficient recognition that resources are, and will always be, limited. The Government must also provide from those limited funds for many services beside education. And the funds allocated for education itself must be sensitively and equitably deployed between its many facets, and many differing schools. If the needs of any individual school are looked at in isolation and without regard to the requirements and constraints of the system as a whole, those associated with that school may well believe that their needs are inadequately met.
- 2.9 The challenge faced by those most intimately involved in this review is to make recommendations for the development of a system which is at once sensitive to the needs of children, parents, teachers, and Victorian society at large, while recognising the need to provide for diversity, individuality, and difference. Furthermore, there is a clear responsibility to build on what is best in that which has gone before.

### 3.0 THE CENTRAL THEME - DEVOLUTION

- 3.1 The crucial issue which emerged during the Ministerial Review was an almost universal desire to find the best means of transferring power and responsibility away from a centralised bureaucracy wherever appropriate towards local and regional units in order to foster among schools and school communities a greater sense of commitment and responsibility.

This paper suggests that only those functions which cannot be adequately carried out by individual schools should be the responsibility of the region, and only those which cannot adequately be carried out by the region should be the responsibility of the central office. Obviously, however, Government has the ultimate responsibility for education as a

whole, and devolution must therefore be carried out within a framework determined at the centre.

3.2 Transfer of power and responsibility to the local school level should assist the system to become more sensitive and responsive to the needs of all concerned. Where there is a capacity to identify and meet local needs and circumstances there is encouragement to use local initiative, to strengthen mutual support between the school and its community, to develop increased responsibility and accountability. Participation in effective decision making undoubtedly also fosters a stronger commitment to the success of the school or enterprise than is likely to be the case with those who see themselves merely as implementers of decisions made elsewhere.

3.3 The Westminster system demands that a government shall be accountable to the people for the spending of public funds and that every segment of every department which expends them shall in turn be accountable through the Minister to Parliament. It is hardly feasible then that devolution of authority can proceed effectively, except in accordance with broad policies laid down by or on behalf of government. Where decision-making is decentralised, measures to ensure accountability and observance of constraints must safeguard the ultimate responsibility of government.

3.4 In proposing the concept of devolution within a stated framework as the central theme for this paper, the following concerns have been taken into account:-

- . the diversity of needs which exist in schools, local communities, and beyond;
- . the imbalance in potential and resources which may require positive discrimination in some areas;

- . the importance of enhancing opportunities for young people whose prospects of effective learning are for any reason limited at present;
- . the rights and responsibilities of principals, teachers, and ancillary staff in fulfilling their central role in the schooling process;
- . the rights and responsibilities of parents and students in decision-making; and
- . the need to develop or maintain appropriate checks and balances to ensure that education meets the needs of society as a whole.

3.5 The arguments so far identified refer to improving the quality of decision-making. But there are also educational considerations. Teachers and principals are more likely properly to supplement core curriculum and to formulate the most effective learning programmes for the students for whom they are responsible if it is clear that the responsibility for providing such programmes rests with the school.

3.6 A further consideration in the rationale for devolution within a framework relates to the participation of parents in accepting responsibility for the education of their children. Parents have the right to ask questions, to receive information, and to understand what arrangements are proposed for their children. To be able to develop a relationship between teachers and parents which allows both to see themselves as partners in the education of a child and, at the same time to recognise their mutual right to happiness and a sense of satisfaction and achievement is a goal to which all schools should aspire.

3.7 School systems exist for the benefit of their students and the best interests of those students must be the guiding

principle in determining the most appropriate means by which any system's aims and objectives can be achieved:

The children of Victoria will be best served by a school system which encourages each school to operate as independently as the maturity and competence of its council will permit. The emphasis in this Paper is upon the individual child in the school and not upon the central office of the Education Department. This implies too the gradual development of certain educational services at the local and regional levels and the gradual phasing out of certain services at the central office level.

- 3.8 The achievement of greater devolution of authority has already involved change and development in the philosophy, organisation, and administration of education in Victoria. This is recognised as a prime movement of the 1970's, particularly within the Education Department. Successful moves towards devolution are exemplified in regional initiatives, legislation relating to school councils, the range of innovative programs, and the growing recognition of schools as community-based organisations.

#### Present Functional Organisation

- 3.9 Since 1975 the office of the Director-General has been organised on a functional basis in the areas of building, curriculum, finance, and personnel.
- 3.10 In the building area, regional priority review committees recommend regional priorities; school councils help plan new facilities; and schools are taking increased responsibility for maintenance and construction. Curriculum development is undertaken largely at the school level, to a degree widely regarded as precluding the system from guaranteeing a core or basic segment of adequate standard to meet society's requirements and applying throughout the State as a whole.



The administration of the finance system is predominantly a central office responsibility but schools do have some input and for technical schools provision has been made for budget submissions from each school.

Similarly, technical schools have developed a widely acclaimed system of participating actively in the selection of principals and vice-principals though all appointments are still made centrally.

- 3.11 Policy is made at all levels. Each school has been encouraged to publish a school policy. Regional policy is determined both by local needs and the central framework. Policy-making at the central level (by Cabinet, the Ministers, the Office of the Director-General and the Divisions) is concerned with issues and practices which have system-wide implications.
- 3.12 Planning is a responsibility of all levels of the organisation. Co-ordination of plans developed at the central, regional, and school levels is the responsibility of the Office of the Director-General.

#### Proposed Structural Organisation at the School, Regional, and Central Levels

- 3.13 The majority who have presented submissions to the Ministerial Review consider that functional devolution would give rise to increased efficiency and effectiveness in the delivery of services and support to schools. It has been widely suggested that there should be a re-allocation of roles and responsibilities at each of the three levels so that:-
- . Effective decisions will be made at the level most appropriate to them;
  - . Greater emphasis will be placed on co-ordination of activities; and

Schools will meet the needs of students at the local level, but in the context of policies and basic curriculum requirements affecting students generally and the system as a whole; and there can be increased effort to achieve the most rational, efficient and equitable use of resources.

- 3.14 School Level. Schools have the potential to carry out a much wider range of activities in a responsible and efficient manner, especially in developing educational policies and in establishing a basis for forward planning.
- 3.15 Zoning policies clearly place some limitations on full freedom of choice. If schools have reasonable freedom to develop a significant component of the school programme in response to the local and special needs which that school seeks to serve, there should be a resultant and desirable increase in the diversity of programmes offered throughout the system. Where that diversity exists, in country or city, it would seem logical to recognise the right of parents to choose more freely the kind of education they prefer for their children. Parents should be informed of the programmes available so that they can make choices based on the best information. Schools need to state their objectives and provide outlines of programmes instituted to achieve those objectives.
- 3.16 While appreciating the need for diversity and responsiveness, this Paper suggests that schools must develop acceptable methods of ensuring accountability both in terms of the local community and in relation to other levels within the Education Department and Government. One aspect of this lies in the development by school councils in consultation with parents, teachers, students and the wider community of policy statements and school programmes which are clearly articulated within the community. A further development

relates to the extension of existing programmes for school review in a form which is as acceptable as practicable to the participants and which will encourage schools continually to test their aims and goals against progress in implementation. A regular review process should be undertaken, preferably on the initiative of the school council.

3.17 The recent report of the Ministerial Committee on Special Assistance Programmes emphasised the importance of providing services for children with special needs both within the secure environment of their own schools and through easily accessible district-based multi-disciplinary centres. These objectives will need to be pursued progressively within the availability of current resources.

3.18 Regional Level. Schools are the primary focus in the devolution of responsibility. However, some aspects of the functional areas outlined above will not necessarily be within the capacity of all schools.

Further, some activities, facilities, and services cannot be provided effectively at this level because they involve economies of scale or certain fundamental educational policies in which individual schools cannot, and should not, be the final arbiters. There are, however, decisions affecting school operations which cannot be finally made at the local level, but which are more effectively made at a point closer to the schools than the central office. Already regional offices accept and should increasingly exercise expanded responsibilities for consultation, co-ordination and planning to provide support for schools in their areas. This role should be enhanced.

3.19 The regional office has the potential to become the visible point of co-ordination for the activities of schools. Not only could it provide services to schools and become a focus

for accountability within the area embraced: it should also serve the Ministers and the Parliament by means of its direct links to the Office of the Director-General.

To carry out the expanded responsibilities envisaged in consultation, co-ordination, and planning effectively, and with general acceptance and respect, regional offices will clearly need wise and sustained educational leadership.

- 3.20 Just as each school principal works with a school council for mutual advice and support, broadly-based regional education advisory councils should be established to advise and support the regional director. At present, formal legislative enactment for the establishment of these bodies is unnecessary, but their membership should include principals, school council members, teachers, parents, persons from post-secondary institutions, and wider membership representing local authorities, employer and employee organisations. Membership of these bodies should be, at least in part, elected. The composition of each regional education advisory council should take account of the particular characteristics of the region. Some of the established regional priority review committees already meet many of the suggested criteria.
- 3.21 Under this concept, regional offices across the State would need progressively to assume many of the functions at present vested in district inspectors in the Primary Division, and in the Boards of Inspectors in the Secondary and Technical Divisions. Within the regional office these functions should increasingly become ones of advice and support. Inspectors have been required to exercise a multiplicity of roles: advising, supporting and encouraging teachers and principals; participating in judgments of the effectiveness both of individual teachers and of the work of schools. Where these complex tasks are undertaken by an individual acting alone, experience has shown that tensions may arise on aspects of them. Nevertheless, the performance of these tasks will continue to be needed.

3.22 Whatever the terminology finally adopted, the senior positions in regional offices should clearly reflect the expected roles and carry salaries appropriate to the level of responsibility envisaged. Positions in regional administration would assume much greater importance and when new positions arise every attempt should be made to obtain for each, the best available person.

3.23 An expanded role for regional offices and regional directors must not mean the establishment of mini-bureaucracies across the State.

Major policy decisions must still be taken by the Ministers and the central office. Within the framework established by decisions affecting the system as a whole, the regional offices should develop and implement strategies, policies and programmes tailored to meet the needs of students in the particular region.

The policy of the Government is to have 18 regions for administrative purposes. While education regions could be progressively adapted to meet these boundaries, this may not in all cases necessarily require the establishment of separate offices. Any growth either in the number of regions or in powers and responsibilities associated with them should be determined only on the basis that any alterations made are undertaken in such a way as to make these offices more responsive to the needs and aspirations of schools, and more capable of assisting in the implementation of co-operatively established central policies. In this context, recognition needs to be given to the importance of accounting for the financial costs of a regionalized administration.

3.24 Specialist services for the education of migrants, Aborigines, and the handicapped, and therapeutic and support services, could in many cases be administered through regional offices. Further decentralisation of services should be encouraged

wherever possible to meet the needs of schools. Although arrangements already exist for neighboring schools to share library, music, art, and physical education teachers with the aim of enriching the educational experiences of all children, these will need development to operate with greater effectiveness, particularly for country children.

- 3.25 In specialist fields where staffing and resources are in short supply, regional administrations may have some advantages over central administration in assessing precise needs and deficiencies and in finding means of meeting them sensitively and flexibly.
- 3.26 Central Level. The central office has a role to play in setting basic standards, determining core curriculum, co-ordinating activities, determining and reviewing policy decisions, and assessing educational priorities for the State.
- 3.27 Substantial complexity is added to an organization where teaching divisions based on an age-grade classification of students are combined with divisions based on service roles and with functionally organized divisions. At the same time, the State is administered on a regional basis, whilst the Office of the Director-General is organized on functional lines. There is clearly room for rationalisation and simplification of the organisational structure.
- 3.28 Submissions to the Ministerial Review suggest that the separation of schooling into primary, high and technical classifications is a consequence of historical development rather than educational necessity or desirability. There is no natural and universal line dividing the education of children and there should be greater experimentation and adaptation of school structures to suit local needs and to facilitate regional initiatives. The evidence at this stage suggests that the roles and functions of the three teaching divisions should be re-allocated.

- 3.29 At present doubt exists as to whether the Education Department or the Teachers Tribunal is the employer of members of the Teaching Service or as to whether each is to be regarded as the employer for some purposes. The Education Department currently possesses only some of the characteristics and functions normally attributed to an employer. As a matter of administrative necessity the Education Department should be recognised as the employer and should possess the normal functions of an employer including initial responsibility for appointments, placements, and conditions of work. This implies changes in the powers and functions of the Teachers Tribunal and the Committee of Classifiers.
- 3.30 The Teachers Tribunal should be remodelled placing increased emphasis upon conciliation prior to formal arbitration in accordance with principles and procedures adopted at the Commonwealth level. Such major changes must be initiated with great care requiring continued discussions to be held between the members of principal and teacher organizations and the Education Department.
- 3.31 Use in schools of a core curriculum supplemented by a component that is locally derived would lead to increased demand for curriculum services, both as advice on curriculum development and in the provision of curriculum materials and equipment. The system would need to provide advice on interpretation of the core, assistance in developing locally determined programmes, and help in integrating the two components into a cohesive school programme. Considerable economies of scale can be achieved if materials and equipment are produced centrally. In order to provide an adequate support service for curriculum development, there would need to be a central resource unit. Curriculum consultants and support services could be attached to regional offices but certain specialist services would need to remain a central responsibility. Although the principle of devolution should be followed wherever possible, economic and efficient administration must be a paramount consideration.

#### 4.0 SOME GENERAL DIRECTIONS FOR DEVELOPMENT

4.1 The Central Concept of this discussion paper is devolution of responsibility within a framework of clear policies adopted at the centre.

Existing arrangements in five functional areas have been briefly outlined and the structural organisation of the three levels of authority - school, region, and centre - have been closely analysed around the theme of devolution. The section that now follows suggests some general directions for development in the five functional areas.

#### Building

4.2 In a time of more stringent funds, declining enrolments, and the redundancy of some facilities, considerable thought will have to be given to the rationalisation of existing resources. This is an area where co-operative arrangements between schools have considerable potential to make maximum use of expensive plant and facilities. Schools should also have a detailed knowledge of resources and facilities in the community which can be used to extend those resources directly available to them. Some school councils already have performed effectively as the contracting bodies for total school construction and some councils have co-ordinated the addition of special purpose complexes to existing schools. Such initiatives have normally resulted in economies and satisfaction of local needs which have further enhanced community involvement and participation in the school and its programmes. School-based responsibility can result in buildings and facilities which reflect the curriculum and programmes in the school and promote community activity. Initiatives already taken by schools deserve encouragement.

4.3 Co-operative planning and ventures with local government or other community organisations should be encouraged in



consultation with regional offices. In some communities, particularly in rural areas, the school has become the major community facility and a source of pride and identification for local residents.

4.4 The regional priority review system can be used for recommending priorities on major capital works with the regional office exercising a supervisory role over projects. The regional office could assume a greater co-ordinating role over many aspects of the building function and disburse a wider range of funds for the purpose than at present. It could assist in ensuring rational deployment of major and specialist equipment. A capacity for regions to prepare budget estimates for central office will need to be developed, with the regional office being finally responsible for detailed allocations to schools.

4.5 The responsibility of the central level in the building function should be three-fold - advice and assistance to regions when it is sought, determination of the allocation of capital funds between regions, and forward planning and research on concepts and standards in school buildings. There should be a responsibility in consultation with regions for forward purchasing of school sites. The central office should be involved wherever possible in innovative approaches to planning for new facilities, on occasions in response to requests from schools and regions.

## Curriculum

4.6 Curriculum may be defined in simple terms as the sum of those experiences to which the student is exposed under the direction of the school. It represents the vehicle by which the objectives of the system and of the school are translated into practice.

One of the specific objectives in the Statement of Aims and Objectives of Education in Victoria requires that the aims of

education be pursued in all schools through the development of a core curriculum for students generally, with provision for individual schools to pursue locally based components to balance the school programme. There are important implications in that concept for the organisation and development of curriculum by the system and by the schools. The aims and objectives have been stated and these are to be pursued in the first instance through a core curriculum which will be provided for students throughout Victoria. The balance of the programme for each individual school is to be developed locally. In planning the locally based sector of the curriculum it is reasonable to expect that schools will follow the same procedure as the system. Thus, each school should first consider its objectives and then plan curriculum experiences designed to achieve them. Before this can be done, however, it is incumbent on the system to determine and announce the nature of the core curriculum.

4.7 Core curriculum constitutes those concepts and areas of study which ensure that the fundamental issues of importance to our society are passed on to the children in our schools. A core curriculum places the onus on the system, rather than on each school, to ensure that the demands of society with respect to basic skills and education are met. In a State-wide school system, individual schools, some of them very small may not in any event be in a position to make these decisions which have an important influence on the educational welfare of the students.

Principals and teachers generally will be freed from the burden of developing a substantial segment of curriculum, leaving greater time and opportunity to concentrate attention upon those aspects designed to meet the special needs of the particular school and its pupils.

4.8 With respect to the locally derived component of the school programme, decision-making should be based on the needs of

the students as well as on the needs of the local community. Since schools generally serve a particular locality, school-based decisions should have regard to the total environment of the school. After developing objectives which properly take that environment and any special local needs into account, the school should plan locally derived curriculum options directed towards the achievement of its objectives. The local school objectives should complement those applying for the system as a whole so that each school has a total set of educational objectives which it seeks to achieve through sound teaching based on a core plus locally derived curriculum.

- 4.9 Schools should examine and initiate methods of teaching which link practice and theory for all students and which avoid unduly early or narrow specialisation into academic and practical streams. Such initiatives should be carefully monitored to ensure their effectiveness and appropriateness in the learning process.
- 4.10 Curriculum develops first to meet the needs of society in general and secondly to meet the needs of the students and their local and wider communities.

The central level of the system, through policy statements, must ensure that the individual rights of those with physical, cultural, economic, or social backgrounds which place them at a disadvantage are protected in schools and in the curriculum options offered. A broad objective for education in Victoria is "to recognise and accept both the diversity of our community and the widely agreed values and structures within it". The Department already has a well accepted policy that all citizens should become proficient in the use of English, that migrants and their children should have the opportunity to learn and study the

language, customs, and history of their forebears; and that all our citizens should have the opportunity to study the language, customs, and history of a variety of cultures, particularly those related to our migrant populations. Schools must be given encouragement to implement this policy through curriculum.

4.11 The use of a central curriculum group to develop core curriculum and keep it up to date and to undertake large scale curriculum projects, should assist to avoid duplication of expensive resources and time consuming work. Supplementary development at the regional level will further reduce duplication of effort in individual schools.

4.12 The freedom given to schools to develop a significant component of the school curriculum in response to local needs should result in a valuable measure of diversity in the programmes offered throughout the system. If there is this diversity then the right of parents to choose the kind of education which they prefer for their children must be extended. Parents will need to be better informed about the programmes being offered by schools so that they make choices based on the best information available. Each school should formally state its objectives and provide an outline of its curriculum for these are at the heart of the teaching and learning process.

Statements explaining school objectives and programmes should be readily available to students, parents and the community, at the school and at the regional office, together with basic information arising from the most recent evaluation of the effectiveness of each school in terms of its stated objectives.

#### Finance

4.13 Triennial budgeting has been suggested as one of the ways in which schools could be encouraged to develop a forward planning perspective. This will be difficult to achieve

whilst Government funding remains on an annual basis. Perhaps a three-year programme with annual review in the light of budget requirements could be considered. Many schools believe that they could effectively prepare annual budget submissions outlining their financial requirements in the light of school needs.

- 4.14 In the light of the move towards greater financial responsibility at the school level, it may be necessary to provide appropriate in-service training for principals, administrative staff, and, perhaps, for the school council. Any increase in the degree of local responsibility of schools and school councils must also be accompanied by a realistic review of the provision and conditions of ancillary staff.
- 4.15 In implementing the concept of devolution, it would be logical to suggest that an increasing range of funds for schools should in time be disbursed from the centre to regional offices. It would then become a regional responsibility to decide upon distribution to schools and to determine broad guidelines for expenditure within the scope of State-wide policies. This arrangement will clearly take time to develop. In the light of further studies and submissions it will be necessary to make at least a preliminary assessment in the early future as to which payments could more efficiently and effectively be made and administered from the regional office. Implementation of these proposals may well necessitate some relocation of support staff to regional offices.
- 4.16 The total allocation of funds to regions and between regions, both for disbursement to schools and for each regional administration itself, would be determined at the central level of the system. Notwithstanding the move towards greater financial responsibility and influence at the regional and school levels, the ultimate responsibility for allocation of funds must remain with Government.

Opportunities should however be provided for a participative planning approach to enable school communities, with the support of regional and central offices to exercise increasingly greater influence on decisions affecting the management of available financial resources.

## Personnel

- 4.17 If devolution of effective authority to local schools is to occur, one possibility would be that appointments to schools should increasingly be made at the local level. Successful initiatives have already been undertaken within the Technical Division in preparing guidelines for the selection of principals and vice principals. That approach could clearly be made available to schools generally. Since positions will increasingly become available only on the promotion or retirement of staff, that approach could be implemented gradually as guidelines and proposals are developed for this purpose. Local participation in the selection of key teaching staff could also be expected to increase the level of harmony and co-operation between school council, principal and staff. Many councils support the view that they should be able to exercise responsibility for all matters related to the employment of ancillary staff.
- 4.18 Many arguments have been voiced against the possibility raised in the last paragraph. These include the natural concern of teachers and organisations representing them that opportunities for career advancement might be hampered and that the right to hire might become the right to fire. It could become increasingly difficult to ensure comparability between schools and those in remote or less favoured areas might suffer. There would be less flexibility in filling unexpected vacancies and perhaps a diminished Ministerial responsibility on staffing matters. Further input on these issues is necessary before changes of substance receive serious consideration.

- 4.19 The implementation of any such change would need to be preceded by effective consultation between all parties and the interests of teachers must be fully recognized. Moreover, where roles are significantly changed, support services and resource delivery systems may need to be re-organised. Councils might well need more assistance in induction programmes and the provision of guidelines for staff selection. Programmes of in-service education for school councils and staff could need to be extended further to become more of a responsibility for groups of schools.
- 4.20 The Division of Teacher Education now performs a totally different role from that for which it was established. The circumstances that currently apply and the recent formation of a Personnel Directorate now suggest that it would be desirable for the work of the Teacher Education Division to be absorbed by the Personnel Directorate. This directorate, based at the central level, could carry out the responsibilities of the Education Department with regard to personnel, i.e., the formal employment and payment of all teaching staff appointed to schools and the initial determination of terms and conditions of employment subject to revision of the role of the Teachers Tribunal.
- 4.21 The establishment of basic staffing levels of schools based on enrolment numbers and special needs should be determined by the central office, with the regional office having an additional facilitating role to enable it to overcome anomalies, deficiencies and inequalities as rapidly as possible. The regional office could also be given delegated powers to effect staff placements and to transfer staff within agreed guidelines.
- 4.22 In a school system principals are in a better position than any other person to influence the course of education and its effectiveness. In fact, the principal is an administrator at the most critical point in the system. Serious consideration

should therefore be given to the process of selecting principals. Proven merit should take precedence over seniority and there is justification for requiring qualifications in educational administration as a pre-requisite for appointment. Schools should be able at the least to provide some input affecting the choice of principal.

4.23 In-service education will undoubtedly continue to be a significant part of the educative process. However, having regard to the limits of finance available, a more detailed, comprehensive, and co-ordinated approach to in-service will be necessary. As much responsibility as possible for co-ordination should be placed with the regional office. The regional office could also be responsible for deciding whether teachers and principals with the necessary expertise to conduct in-service education activities could be released from duty.

The central administration will need, however, to retain responsibility for the overall co-ordination of in-service education, particularly in relationship to tertiary institutions. Specialized programmes of in-service education will still need to be provided.

#### Policy and Planning

4.24 If schools are encouraged to accept increased responsibilities in policy development and planning, mechanisms will be needed to provide for more effective consultation between the school and the local community, the regional office, and the central office. As a first step, school councils, with the help of the regional office, should be encouraged to establish a consultative process involving parents, teachers, students, and the local community in the development of school policy and programmes. This process could lead to establishing on-going consultation and would assist to provide the school with a clear understanding of existing and changing needs.



4.25 The issue of accountability of schools is an important one. It can most readily be achieved where a generally acceptable statement of school aims and objectives exists, and there is broad consensus regarding the means of monitoring progress towards their achievement.

Teachers should be responsible for the way in which school policies are put into practice and the school council should lead the school community in ensuring that the results of the educational programme are satisfactory. The staff, the principal, and the school council need a degree of accountability to each other for implementation of the school's aims and objectives. Guidelines to clarify this relationship will need to be formulated.

4.26 However, the accountability process has much broader applications. There is a recognised line of accountability between the school, the Education Department, the Ministers, Cabinet, and ultimately the Parliament representing the people of Victoria. The process of school reviews mentioned earlier should provide a basis for establishing accountability between the school and the Education Department. At the national level, the proposed assessment programme of basic skills is recognition of even wider interest in educational accountability.

4.27 The central office has a role to play in co-ordinating activities, determining and reviewing policy decisions, and assessing educational priorities for the State. Future projections in each of the functional operations and associated general planning must remain basically at the centre. There should be increased emphasis upon effective co-ordination of policy, and closer liaison with regional authorities.

4.28 The central office must provide educational leadership through encouraging and promoting innovations, research, and co-ordination. It must ensure that educational activities are directed towards meeting the Aims and Objectives which have been adopted.

4.29 The central office will continue to play the major role in liaison with other bodies, particularly those affected by educational policies and developments, industrial relations and advice to the Ministers. It should continue to work closely with other Government departments, maintain a close relationship with non-Government schools and to advise the Post-Secondary Education Commission and the tertiary institutions on the expected needs for new teachers and new courses to meet changes within the schools.

4.30 With the increasing emphasis on the central office of the Education Department leading, organising, liaising, and co-ordinating and formulating broad strategies within which questions of detailed policy and administration regarding the provision of educational services, there will be an increasing need for educational administration training among senior personnel at all levels.

## 5.0 APPROACHES TO IMPLEMENTATION

5.1 The suggestions raised in this paper build upon the developments in education and changes in attitudes that occurred in Victoria during the 1970's. Adoption of these approaches would undoubtedly in the long term result in significant changes in emphasis for public education in Victoria. There are many developments identified in submissions to the Review which would be desirable in - ideally - all schools. However, there are several major constraints affecting the implementation of such developments, in particular the availability of funds, specialist staff and material resources.

5.2 The approach to implementation of the recommendations ultimately adopted in the White Paper will need to be sensitive and exploratory, and one that recognises that change which is achieved gradually is likely to be most acceptable. On the other hand it is an axiom that the longer it takes to

institutionalise proposed change, the greater the uncertainty and frustration that accompanies the operation and the resistance which develops. Change should therefore be evolutionary, as part of a planned and open process, but not unduly slow. Where possible, the consultative process should be used to determine the detail of new arrangements.

5.3 In Victoria's schools there is great diversity in needs, strengths, and local resources. In seeking to decentralise decision-making, this Paper follows the line of policies consistently developed since 1974 in encouraging as much adaptation as possible to local conditions and circumstances. The principles outlined in this Paper should enable a variety of organisational forms and practices rather than one uniform solution. Ultimately, the structural development of a school system must be carried out in such a way as to ensure its constant capacity to remain adaptable and responsive to changing and future needs.

5.4 Consideration needs to be given to the extent to which schools are ready for change. Some will wish to respond immediately to the challenges outlined in this Paper. Others will prefer to observe how their peers respond to the possible new roles and relationships before taking up the challenges themselves.

## 6.0 CONCLUSION

6.1 When the Ministers announced that there would be a Ministerial Review of Education in Victoria, they specified three stages - a Statement of Aims and Objectives of Education in Victoria, a Green Paper identifying some options for further study and consideration, and a White Paper outlining Strategies and Structures for the Achievement of the Aims and Objectives.

6.2 This Paper represents the culmination of the second stage of the Review. The points it raises are intended to provide a basis for further discussion. A fundamental component of

the public debate is the establishment of an Organisations Reference Group. It will be the task of the Group to consider the concepts presented in this discussion paper, to make known to the Ministers the views and relevant policies of the organisations which they represent, to examine the implications of implementation of the various concepts and to explore areas where reasonable consensus may be achieved.

- 6.3 A further component of the public debate and input will be the consideration of submissions arising from consideration of this Paper which are invited by the 30th September, 1980.
- 6.4 Although the long-term objective of the Review is to consider every aspect of education in Victoria, the range of submissions received was largely confined to the Government school system and time constraints precluded both the Consultative Committee and the Education Department from presenting a fully developed view on other educational institutions. Consequently, matters relating to registered schools and tertiary and post-secondary institutions (including TAFE) have been reserved for future consideration.
- 6.5 Thanks are extended to the members of the Consultative Committee who have met on twenty occasions in thirty-four weeks, considered material from 503 submissions, carried out thirty-one separate discussion sessions with individuals or representatives of organisations, and secured opinions from groups which might otherwise not have been identified. Thanks are due also to Dr. Tom Moore, Deputy Director-General of Education, and to the thirty Department Officers from Assistant Directors-General to school principals - who provided the data from which he presented an Education Department point of view.

The document "Controversial Issues" prepared by the Director-General of Education, the "Pros and Cons" statement prepared

at a special administrators' seminar and the responses to which came from over 200 members of the public, and the "Statement of Options" prepared by the Director-General of Education and examined by the Director-General's Policy Committee were also valuable sources.

6.6 From all the advice which has been presented this Paper seeks to identify the major areas of concern and to raise some of the options which can usefully be considered. Frank, open, and serious discussion of these options by the schools and the people of this State will be the most valuable contribution that the community can make to the future direction of education in Victoria.

VICTORIA

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**THE IMPLICATIONS  
OF  
CHANGING SCHOOL ENROLMENTS**

A PAPER PRESENTED TO  
THE VICTORIAN TEACHERS' UNION GENERAL COUNCIL  
7 DECEMBER 1979

BY

**The Hon. A. J. HUNT, M.L.C.**  
**MINISTER OF EDUCATION**

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## IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS

### GENERAL OBSERVATIONS

It has been estimated that over the next six years (1980 - 85) enrolments in primary schools in the State of Victoria will fall by approximately seventeen per cent, enrolments in some local government areas will decline more dramatically - as much as fifty per cent - and some current growth areas will have a reducing enrolment when current home building activities reach completion. A limited number of areas will experience some increase. Comprehensive details on actual and projected births for Victoria to the year 2000, actual and projected school enrolments and apparent transition rates are set out in supplementary notes to this paper.

Most countries of the world have enjoyed growth in various forms for periods of some hundreds of years. In Western societies growth has been more conspicuous, with procedures of government and organisations being geared accordingly. But growth does not seem prone to go on for ever and it now appears quite certain that we are in for a period of decline, certainly in population growth and more specifically in school enrolments. Such a period of decline may create severe problems simply because all our processes have taught us to adapt to growth and we have little opportunity to experience a no-growth situation, and even less opportunity to experience decline. One commentator has put the issue in these words:

*Adaptation to decline ... is going to be a very important skill in the years ahead. If we only adapt to growth, then we are likely to make a tragic mess of decline. There is a strong case to be made for the argument that decline requires greater skill, better judgment, a stronger sense of community, and a higher order of leadership than growth does.*

(Boulding, K.E **Adjustments of Colorado Districts to Declining Enrolments**. New York, 1974.)

I have already set in motion a comprehensive range of measures to deal with the implications of changing school enrolments in a systematic way and will provide details of a more immediate initiative later in this paper. At the October, 1979, meeting of the Australian Education Council in Perth, Victoria spoke to the agenda item on Declining School Enrolments and has subsequently been responsible for leading a national approach to the issue. No other State has embarked on such action as has Victoria.

It is always important to grasp any opportunity to improve the quality of education for the children of this State, but there are some educational pundits who would recommend a supposed utopia with unlimited expansion of teaching numbers and a continuous reduction of class sizes — all irrespective of cost and irrespective of concern for the expenditure of taxpayers' funds. Expectations that education will go on receiving the same continuing increase in its share of the State Budget as occurred when enrolments were increasing are unrealistic. With spiralling costs there will only be marginal scope for improvements and even then these will need to be gradual.



The interests and rights of children are the focus around which this paper is organised. However, some of the proposals recently advanced for coping with the enrolment issue would appear to have this as a subordinate consideration. It is the right of every child to receive the best education possible within the limits of available finance. Ultimately, however, it is the government of the day which must accept responsibility both for providing that education and the funds available for it, and for establishing priorities between the many competing demands on its limited resources.

The essential issue for Government and all those concerned with the education system, is which of the many options available should be adopted within the constraints of available resources. In this paper I have sought to raise a broad range of those options, as matters requiring further consideration rather than as suggestions, and certainly not as decisions or commitments.

## ***THE CURRICULUM AND CHANGING SCHOOL ENROLMENTS***

### **Range of Offerings**

In small schools there has always been difficulty in providing a wide-ranging curriculum. For some secondary schools experiencing a severe decline in enrolments, it may no longer be possible to maintain a full range of curriculum offerings unless teacher hours or class sizes are greater than sometimes now apply. In such schools there may need to be a re-organisation of students into class sizes at unit costs considered acceptable.

Another possible implication of this situation will be at least some reduction in emphasis upon local school-based curriculum development, and greater emphasis upon a core curriculum addressed to basic skills.

### **New Courses of Action**

As I indicated in my opening remarks, realistic adjustments by administrators, principals, parents and teachers to a period of decline will require high levels of skill, leadership and adaptability. Possible courses of action will need to be identified and thoroughly researched. In the school curriculum, regional offices could have a role in promoting and co-ordinating schemes to foster inter-school co-operation on a regional and inter-regional basis.

Within the organisational structure of the Education Department, consideration needs to be given to rationalising existing curriculum planning and development resources in order more effectively to supplement school-level curriculum. School based curriculum, however, can not be determined in a vacuum with no regard to the need for all schools to have a satisfactory curriculum meeting the concerns and requirements of government, parents and the community.

The Victorian Government has already taken action to promote improved co-ordination of government services. Opportunities will be explored with my ministerial colleagues in Departments such as Youth, Sport and Recreation, Community Welfare Services and the Health Commission to increase efforts for a co-operative and co-ordinated approach to the finance, staff and facilities necessary for related services in the community.

### ***TEACHERS AND CHANGING SCHOOL ENROLMENTS***

#### **Training and Employment**

If our schools are to survive some of the anticipated stresses associated with a period of declining enrolments, teachers equally with others involved in running our schools will have to readily identify the magnitude of the changed environment and identify and support positive courses of action. The Chairman of the Post Secondary Education Commission will soon take up a wide range of issues related to the supply of teachers with training institutions, but it can be said now that in the staffing of those institutions and enrolment of their students, consideration needs to be given to the ultimate employment prospects of students. Institutions will need to avoid any actions likely to raise expectations which will have no reasonable prospect of fulfilment. Nor should there be competition in seeking to attract undue numbers of students. In simple terms, it is a matter on the one hand of phasing down intakes to avoid a cruel dashing of student expectations, and on the other hand of avoiding wastage of public funds.

#### **Professional Development**

Another possible implication for teacher training is the consideration of new directions leading to a greater emphasis on assisting teachers in the field. Ways need to be devised of encouraging teachers with "permanent" certification, who do not adequately at present do so, to undertake further study for upgrading their qualifications, keep informed on new developments and utilise opportunities for professional rejuvenation. An increased emphasis on the professional development of teachers would be welcomed by parents and the public, many of whom are far from satisfied with performance in schools. Thought must be given to the need for some machinery for ensuring that a teacher's skills and qualifications are in fact maintained and brought up to date, having due regard for the standards of professionalism and performance needed to protect the interests of children. There are few professions or other employment positions, where long term and continuing right to practice is guaranteed without periodic demonstration of continuing professional capacity and development.

For principals and teachers in supervisory positions, and those aspiring to those appointments, declining enrolments have clearly reduced promotional opportunities. It is now almost a reality that career structures are approaching a state of being frozen solid. Where this results in re-appointment to classroom responsibilities, updating and retraining programs may be required.

The traditional solutions posed for the management problems of schools as they move in to the nineteen-eighties may not be appropriate. In-service programs will need to consider such ideas as the grouping of schools into networks, the sharing of staff and particularly specialist staff between small schools, co-operative approaches to the use of equipment and classrooms and adapting the outcomes of successful innovative projects.

I will mention some of the possible courses of action that could be considered in approaching the implications that have been identified. I am also hopeful that we will be able to add to these and provide further understanding in ensuing discussions.

### **Teacher Registration**

The desirability of teacher registration being renewable periodically should at least be considered. If this is felt to be desirable in the interests of members of an ever-improving teaching service and the children whom they serve, then evidence will be needed of upgraded academic and professional qualifications and satisfactory and improving job performance. Such evidence could become a pre-requisite for the renewal of registration.

In order to encourage and facilitate teachers who wish to provide such evidence of their continuing professional growth, consideration could be given to extending the pool of substitute teachers available on a regional basis as replacements for teachers while on in-service workshops or programs.

### **Unions and Professional Development**

There is general acceptance within the community of the need for unions and professional associations to protect the rights of their members. In the minds of many, this has unfortunately developed into a pre-occupation with industrial matters and industrial action. With changes in working environments in the eighties, the prospect of ever-increasing leisure and a concern for individuals being able to adapt and manage their lives, it may become necessary for unions to enter more vigorously into the arena of professional development programs. By providing an

alternative and perhaps more “down-to-earth” approach than the traditional sources of professional development programs, unions could add a healthy element of competition in a time when there is some vying for resources.

### **Fixed-Term Appointments**

Some consideration could at least be given to the question of fixed-term appointments to certain senior positions within the teaching service. This might well provide increased opportunities for promotion, enhance morale, reward continued professional development and improved performance, and produce new ideas through periodic change. Under this possibility, if appointees were required to eventually return to the classroom or to some other position they would of course still remain within the teaching service and their job security would in no way be impaired.

### **Job-Sharing**

There are many possibilities worthy of consideration under the general term of job-sharing schemes. In the light of changed circumstances, there is a need to re-investigate all the implications of union proposals to enable part-time appointees to become permanent members of the teaching service. An extension of part-time appointments allows increased scope for teachers to undertake professional development and for the further employment of new teachers. It has also been suggested that married persons could share their job opportunities. There may be possibilities too of teachers and school facilities being more efficiently used in part-time day and evening instruction for groups such as early school leavers and adults.

### **Early Retirements**

Without counter measures, declining school enrolments would mean an ageing teaching force and a denial of opportunity to younger people seeking entry to the profession.

The possibility of earlier retirements with lower superannuation benefits and all its implications in a time of change should at least be investigated, as should the option of phased retirements.

## **OTHER ISSUES RELATED TO ADMINISTRATION, FINANCE AND FACILITIES**

I have concentrated my attention so far on some of the implications and possible courses of action in relation to changing school enrolments in so far as they affect the curriculum and teachers. There are some other matters that should be identified briefly at this stage.

### **Ministerial Review**

The Ministerial Review of Education Policies will need to consider and deal with all aspects of providing the most efficient and cost effective structures for the administration of education, and in particular the elimination of any duplication of functions.

### **Financing of Education**

As far as financial considerations are concerned, there is quite clear evidence from recent Australian and overseas research that instructional costs per child increase with declining school size. Whilst this may be unavoidable, there are few governments if any which are now prepared to meet the continued if not unquestioned expectations by many closely involved in education of a continuing percentage growth in budget funds for education of the kind which has occurred in past years. There is inevitably some change in the emphasis upon aspects of education outside the school system, and other social priorities. These changed circumstances are with us now and will be with us during the nineteen-eighties. Given that it is not idle speculation, an opportunity will be provided to identify proposals for betterment where deficiencies exist and for the elimination of wastage. Certainly consideration should be given to incentive schemes for schools or regions which are able to produce effective plans for eliminating wastage or for the better utilisation of resources. A phased, rather than sudden reduction of grants to schools suffering a drastic decline in enrolment has also been suggested as a matter for consideration. In a period when "easy" money for rapid educational advances is no longer available, every means of obtaining the best possible value for the educational dollar should be explored.

### **School Facilities**

Our State holds in trust for the people of Victoria some 7,000 school property titles with a replacement value of approximately \$2.5 billion. While recognising the role of the school as a community centre, the practicality of children within a reasonable distance sharing accommodation needs to be thoroughly investigated. The redirection of capital funds to place increasing emphasis

on a renovation and maintenance program for schools must be considered as should the possibility of effecting economies through the administration of maintenance funds by school councils. Consideration needs to be given to all aspects of possible rationalization of resources, and their most effective and efficient use in both human and economic terms.

### **MINISTERIAL WORKING PARTY ON CHANGING SCHOOL ENROLMENTS**

Finally, I wish to give some details on an immediate initiative referred to in the opening remarks of this paper.

Victoria provides no exception to what seems to be a universal picture of confused public debate on the implications of changing school enrolments, aggravated (for various motives) by quite unnecessary misinterpretation of available data and the use of different figures garnered from different sources and compiled on different bases. We should surely seek to agree on the facts in the first instance, and on the use of the same, or at least comparable figures prepared on the same basis, when talking about any particular issue.

Furthermore, the existing administrative procedures on which our schools and the total school system have to operate are not sufficiently flexible or responsive enough to handle some of the identified areas that I have suggested for consideration in my report.

#### **Ministerial Working Party**

Consequently, I propose to establish a Ministerial Working Party which in summary will be expected to:-

- **identify** the existing and changing pattern of school enrolments and predict future trends;
- **examine** in particular the implications of changing school enrolments for the school curriculum, the staffing of schools, the rationalization of the school building program and the allocation of financial resources; and
- **make appropriate recommendations** to the Minister.

This Working Party will be chaired by the Deputy Director-General of Education, will include the Assistant Directors-General responsible for building, curriculum, finance and personnel, and will be augmented by three additional members representative of principals, teachers and parent-school council organisations.

I now formally invite the Victorian Teachers Union to consult with other teacher organisations with a view to nominating a mutually acceptable representative on the Working Party - someone who can be a representative of the teaching service as a whole, yet with an appreciation of the differing perspectives of those in the different divisions and teacher organisations.

This Working Party will be expected to begin its deliberations at the beginning of the 1980 school year and to produce a major report by the end of the year, and in order to enable the teacher representative to fulfil this onerous task in ascertaining and advocating the views of teachers and undertaking the substantial study involved, I am prepared to provide for the half time release of a teacher on full pay.

Since my appointment to the education portfolio I have sensed the need for the Government of Victoria and the Ministry of Education to assume a more visible leadership role in education. Parents and members of the community are becoming more united in their expectations that a new image is needed for education.

The extent to which the Government and all involved in education are able to come to terms with the impact of declining school enrolments in the next few years in Victoria, in a way that is realistic and meets the needs of its citizens and its young people, will largely determine our success in creating a new image for education and a better climate for its continued development in the interests of both those it serves and those who serve it.

I have in this paper sought to face the issues confronting us, but not to solve them in advance of further study and consultation. I emphasise again that none of the possible courses of action considered represents at this stage a concluded view of the Government, the Department or myself. They are raised as options only for study and consideration on a co-operative basis, and for resolution with the best interests of all concerned in mind.

## **SUPPLEMENTARY NOTES**

### **THE IMPLICATIONS OF CHANGING SCHOOL ENROLMENTS.**

- APPENDIX I     ACTUAL AND PROJECTED BIRTHS -  
                     VICTORIA, 1948 - 2000.**
- APPENDIX II    ACTUAL AND PROJECTED GOVERNMENT  
                     SCHOOL ENROLMENTS - VICTORIA  
                     1960 - 1988.**
- APPENDIX III    PERCENTAGE CHANGE IN GOVERNMENT  
                     PRIMARY SCHOOL ENROLMENTS BY  
                     SELECTED REGION - VICTORIA  
                     1975 - 1979 AND 1980 - 1984.**
- APPENDIX IV    ENROLMENT TRENDS IN SECONDARY  
                     SCHOOLS - VICTORIA, 1974 - 1979.**



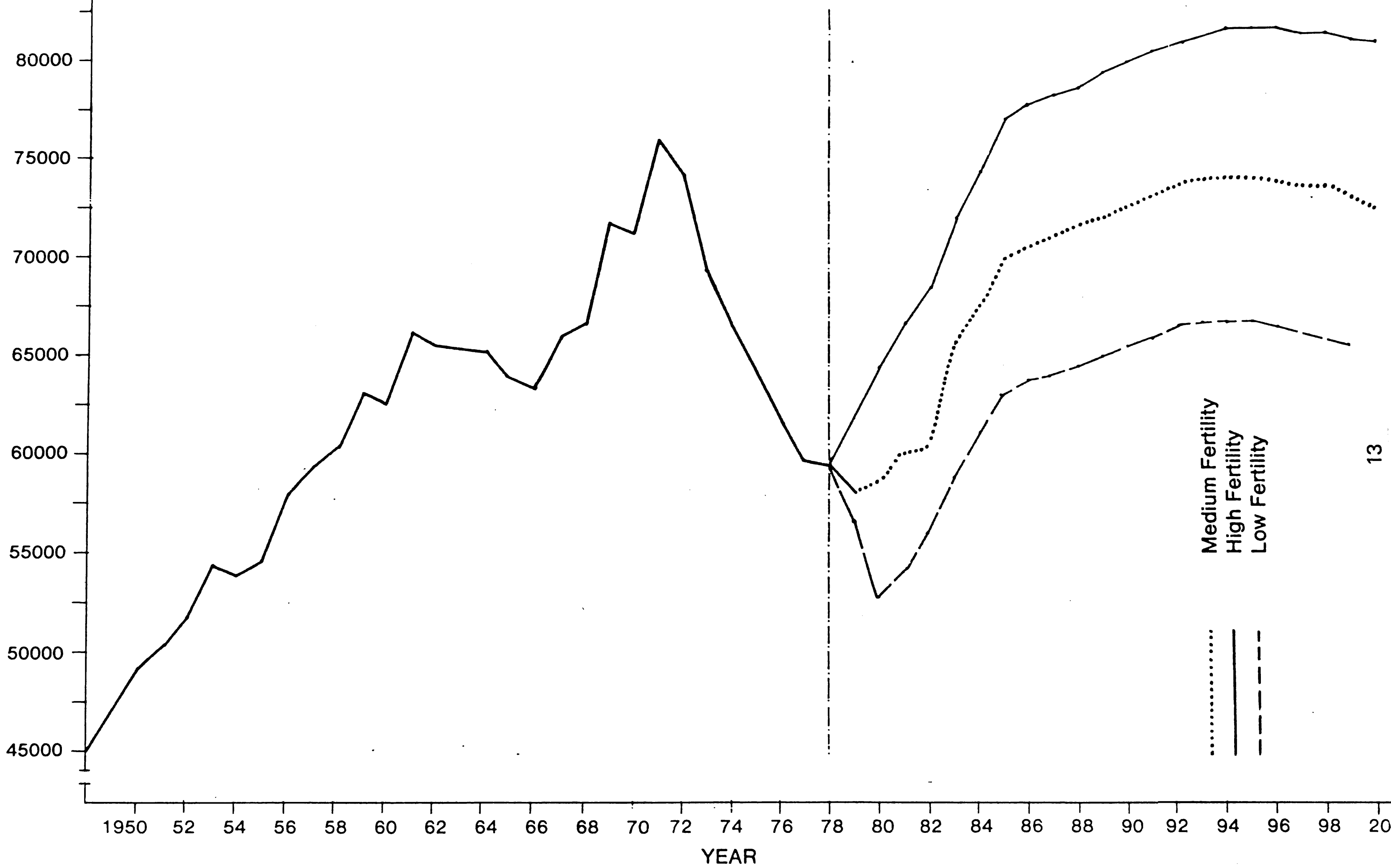
## **APPENDIX I**

### **ACTUAL AND PROJECTED BIRTHS VICTORIA, 1948 - 2000.**

#### **COMMENTS:**

1. The attached graph presents births in the financial year ending 30th June up to 1978. This information is obtained from the Australian Bureau of Statistics.
2. The forecasts shown are from State Co-ordination Council Forecasts of the Victorian Population 1979, and relate to base data for persons aged 0 years at the 1976 Population Census.
3. Three of the Council's twenty-four forecasts have been presented here. These three forecasts represent differing assumptions about fertility rates, namely replacement level, 10 per cent above and 10 per cent below replacement level.
4. All projections relate to the same assumption about immigration and emigration such that the net migration into Victoria is 7097 persons per annum.

BIRTHS



Source: State Coordination Council, Australia Bureau of Statistics.

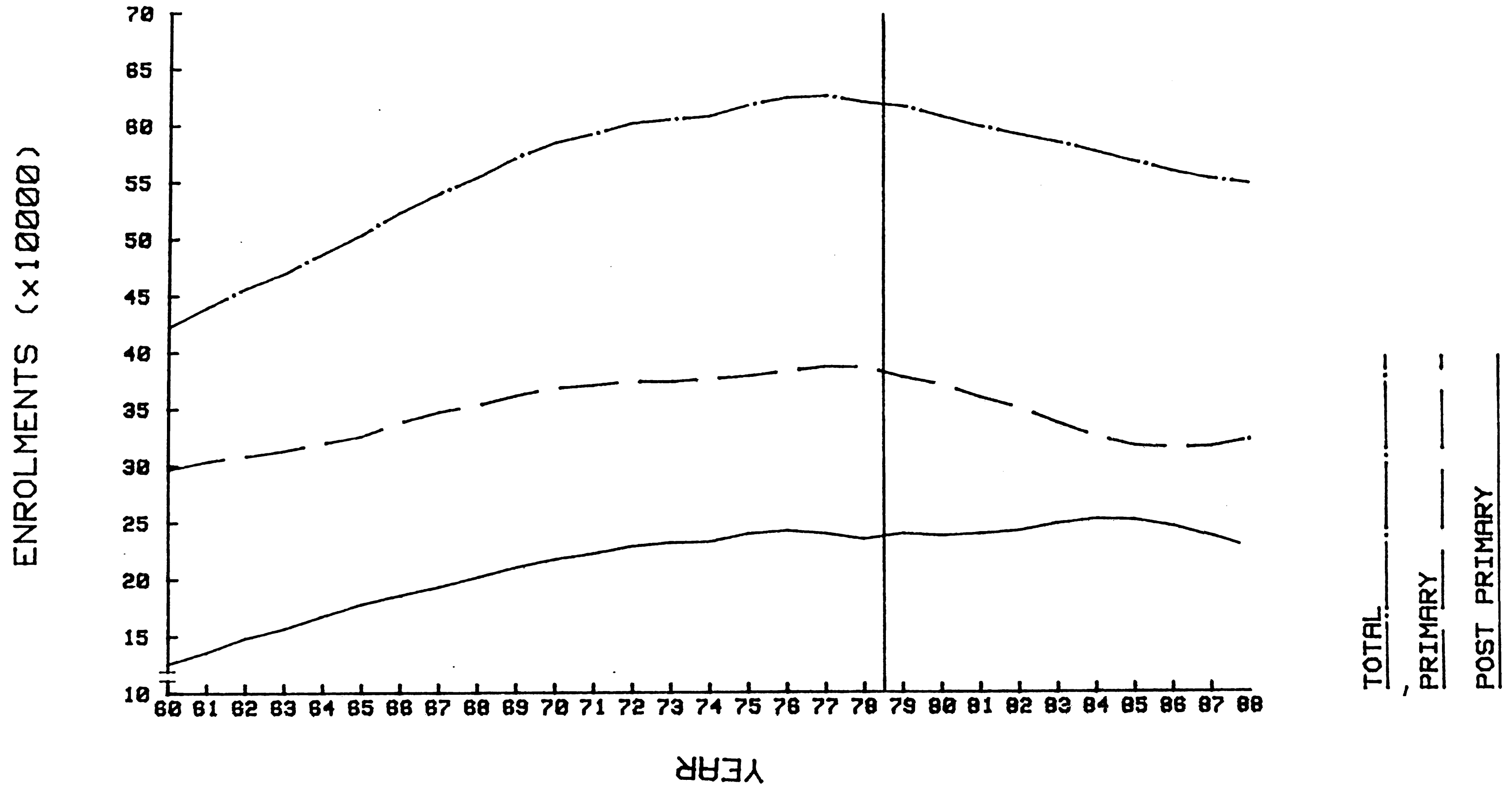
## **APPENDIX II**

### **ACTUAL AND PROJECTED GOVERNMENT SCHOOL ENROLMENTS, VICTORIA 1960 - 1988**

#### **COMMENTS:**

1. The attached graph displays actual August Census figures up to and including August 1978 and forecasts from 1979 to 1988.
2. The predications are based on the population forecasts of the State Co-ordination Council using their medium level fertility assumption.
3. "Post primary" includes secondary high school and secondary technical (to year 11) enrolments.

# GOVERNMENT SCHOOL ENROLMENTS (Actual & Projected)



Source: Planning Services, 1979

## APPENDIX III

### PERCENTAGE CHANGE IN GOVERNMENT PRIMARY SCHOOL ENROLMENTS BY SELECTED REGION - VICTORIA, 1975 - 1979 AND 1980 - 1984.

The graphs provide information on the actual change in government primary school enrolments in some local government areas for the period 1975 - 1979.

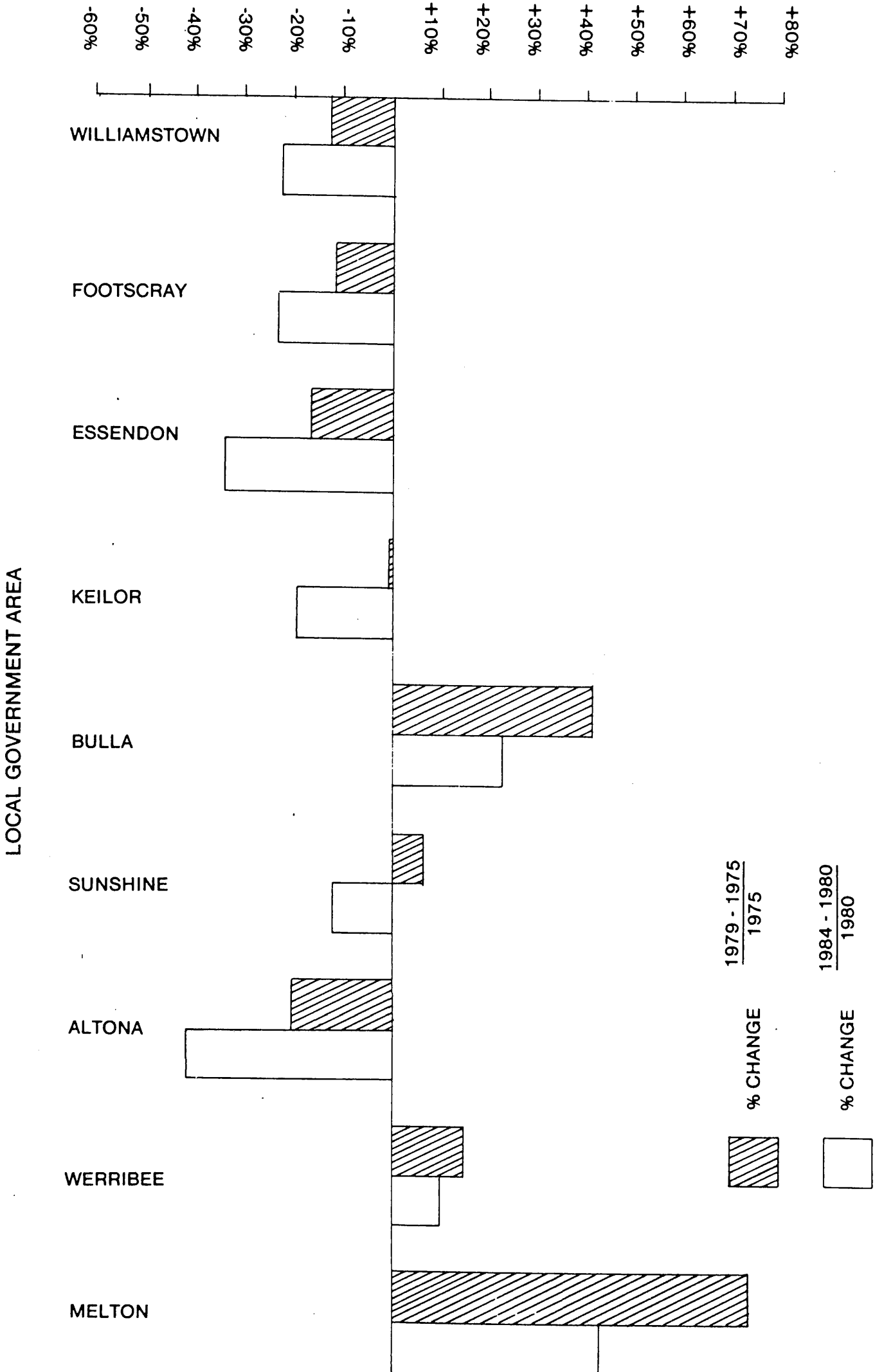
Projected enrolments are based on trends in:-

- (i) enrolments in schools; and
- (ii) birth patterns in local government areas.

- NOTES:**
1. The projections are unable to react to rapid changes in enrolments in schools. Thus the effect of Housing Commission developments will not be incorporated in the data. Also, rapid movements out of particular areas will not be recognised.
  2. The data should be regarded as preliminary. While in a general sense the data have been adjusted to the medium fertility rate, and average migration rate used by the State Co-ordination Council, the regional differences in these rates have not yet been incorporated.
  3. The data relate only to the end points of the intervals 1975 - 1979 - 1984. There is the possibility of peaks and troughs within the intervals being disguised.
  4. The graphs give no indication of the scale of the base data. Thus while Upper Yarra has shown a 52 per cent increase over a five year period, this increase was from 730 to 1110. On the other hand Werribee's increase was from 3847 to 4389 - an increase of 14 per cent.

# PERCENTAGE CHANGE IN GOVERNMENT PRIMARY SCHOOL ENROLMENTS BY SELECTED REGION - VICTORIA 1975 - 1979, 1980 - 1984.

## SUNSHINE/WESTERN REGION

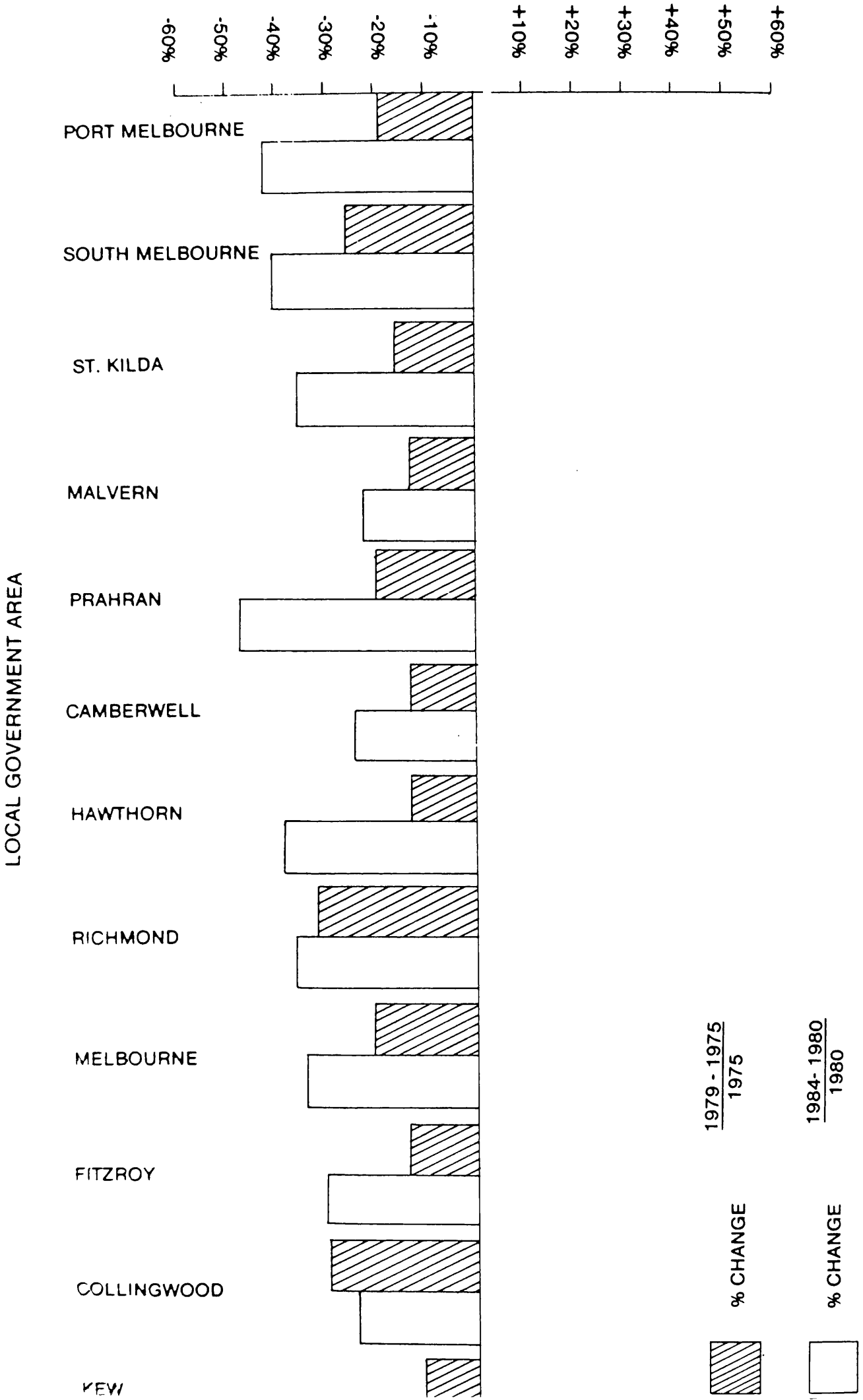


Source: Planning Services, 1979

**PERCENTAGE CHANGE IN GOVERNMENT PRIMARY SCHOOL ENROLMENTS BY SELECTED REGION - VICTORIA 1975 - 1979, 1980 - 1984.**

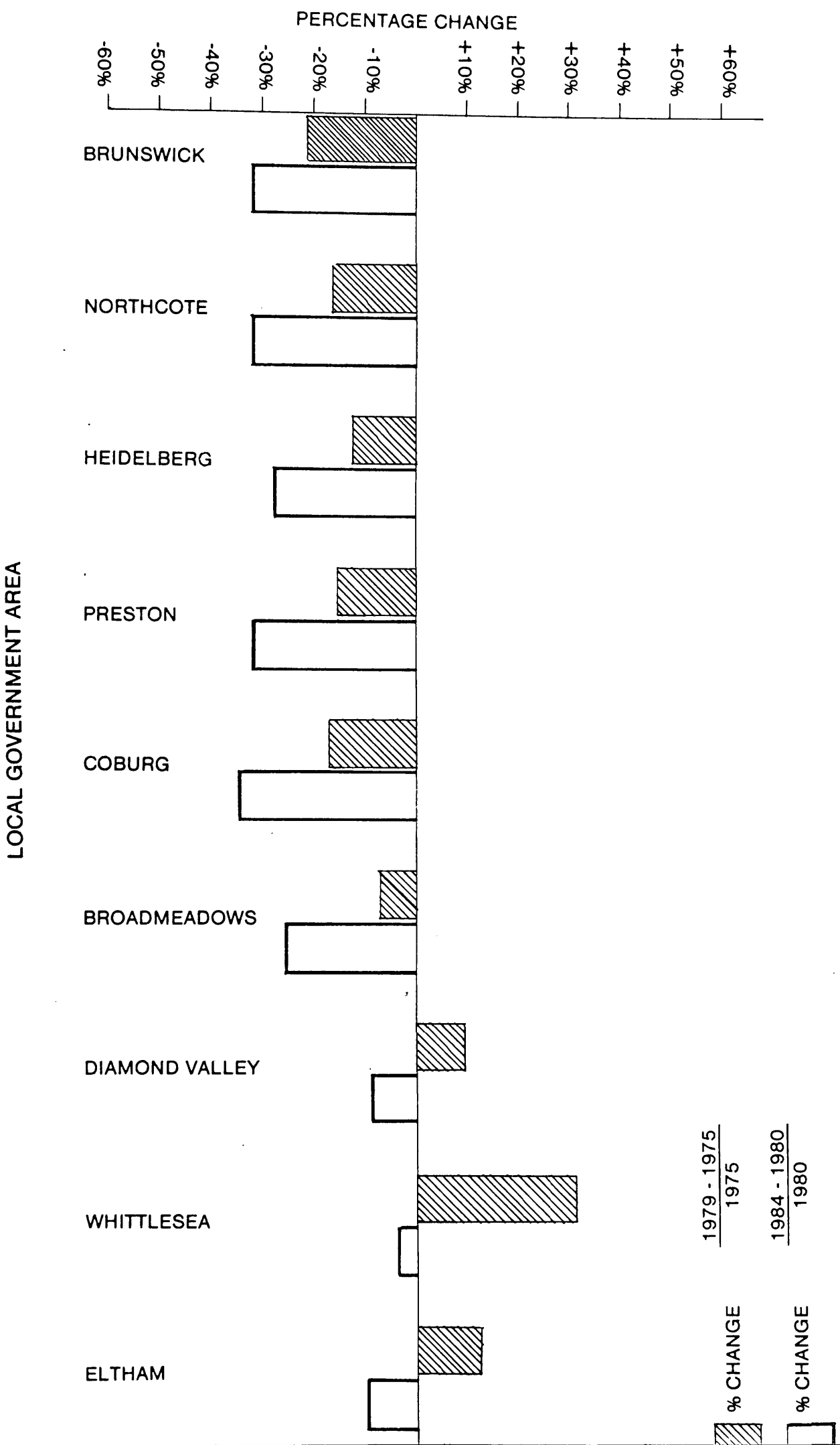
**CENTRAL/PRAHRAN REGION**

**PERCENTAGE CHANGE**



445

**PERCENTAGE CHANGE IN GOVERNMENT PRIMARY SCHOOL ENROLMENTS BY SELECTED REGION - VICTORIA 1975 - 1979, 1980 - 1984.**  
**PRESTON/NORTHERN REGION**



Source: Planning Services, 1979



**PERCENTAGE CHANGE IN GOVERNMENT PRIMARY SCHOOL ENROLMENTS BY SELECTED REGION - VICTORIA 1975 - 1979, 1980 - 1984.**

**EASTERN/KNOX REGION**

PERCENTAGE CHANGE

-60% -50% -40% -30% -20% -10% +10% +20% +30% +40% +50% +60%

LOCAL GOVERNMENT AREA

DONCASTER AND TEMPLESTOWE

BOX HILL

NUNAWADING

WAVERLEY

RINGWOOD

LILYDALE

CROYDON

KNOX

SHERBROOKE

HEALESVILLE

UPPER YARRA

$\frac{1979 - 1975}{1975}$

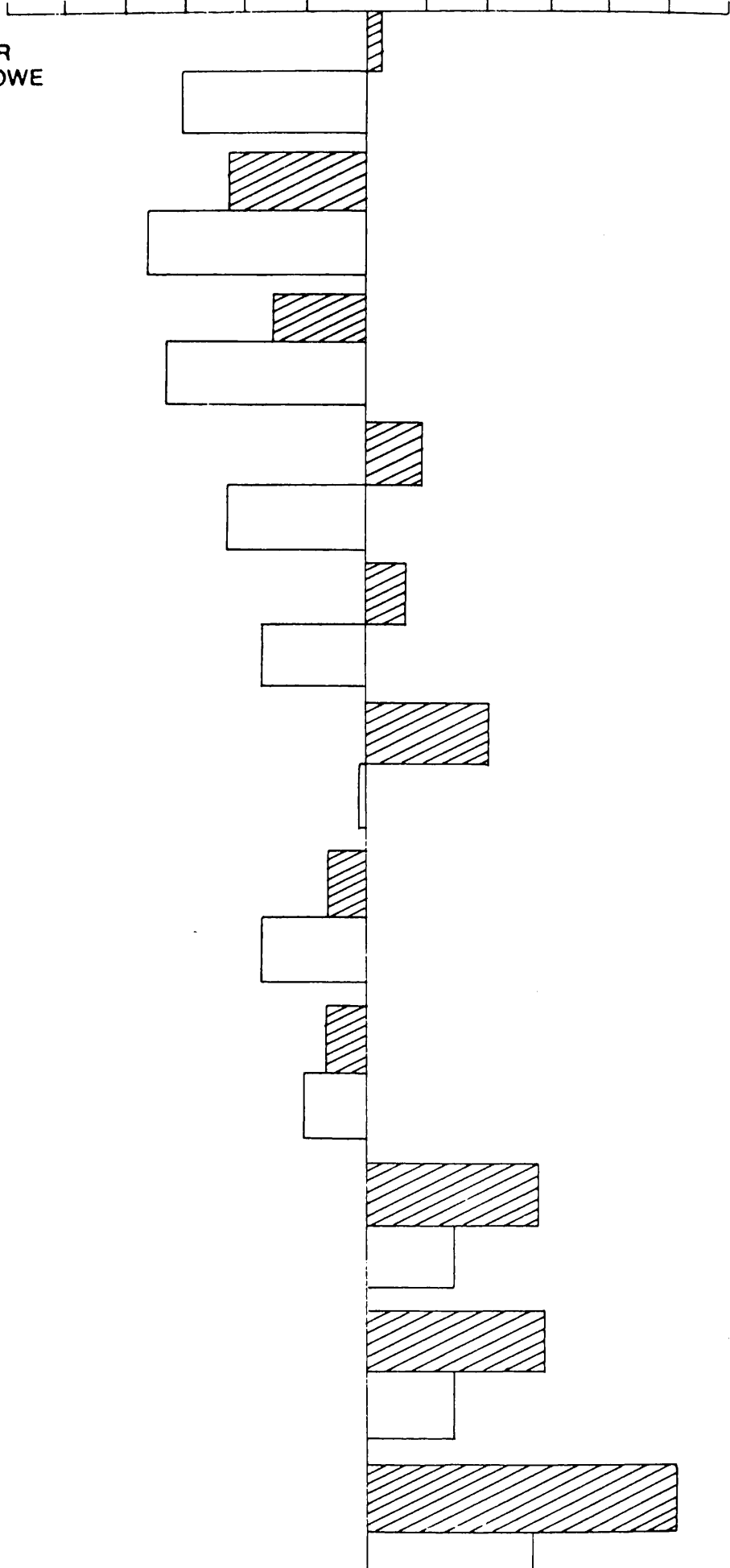
% CHANGE



$\frac{1984 - 1980}{1980}$

% CHANGE





## APPENDIX IV

### ENROLMENT TRENDS IN SECONDARY SCHOOLS - VICTORIA, 1974 - 1979

Figure 1	Transition Rates - all Schools
Figure 2	Transition Rates - Government Schools
Figure 3	Transition Rates - Non Government Schools
Figure 4	Government Students as a Percentage of Total Students
Table 1	Transition Rates - Catholic Students

#### SUMMARY OF MAIN ISSUES:

1. The trend for students to remain at school to the end of year 10 is continuing.
2. There is a substantial decline in the proportion of students remaining to year 12. The majority of this change is occurring in Government High Schools.
3. Government schools, and High Schools in particular are retaining a continually reducing proportion of the total school population. This reduction is mainly due to Catholic school retaining an increasing proportion of their primary student numbers into secondary levels.

**NOTE:** Data used in this Appendix have been derived from the August Census of Victorian schools conducted by the Education Department (Planning Services) and the Australian Bureau of Statistics.

## TRANSITION RATES - ALL SCHOOLS

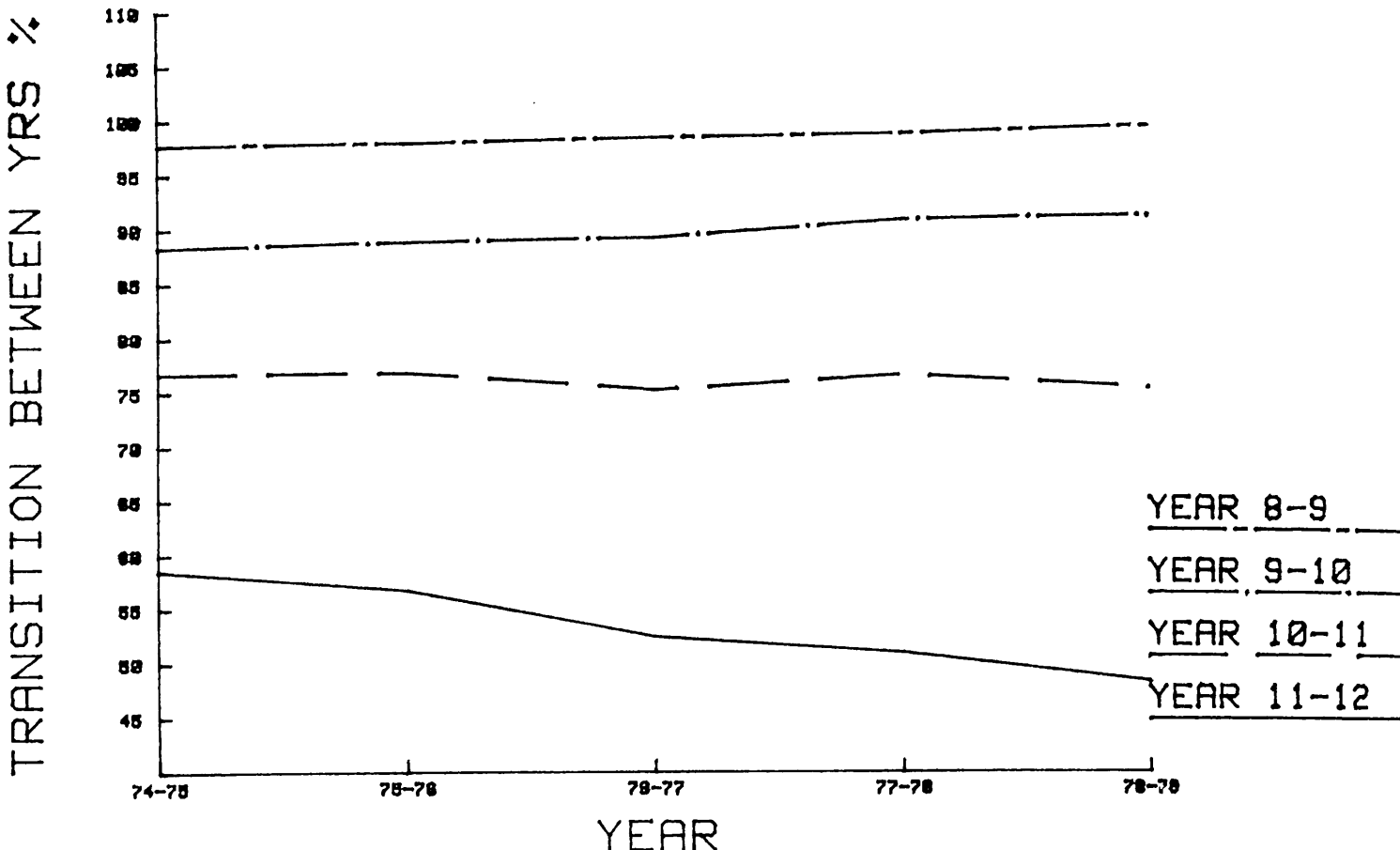


FIGURE 1

**COMMENTS:**

1. The trend towards students remaining at school longer in the early years of secondary education is continuing.
2. The rate of transition from year 10 to year 11 has been relatively unchanged since 1974/75.
3. There has been a marked decrease in the number of students moving from year 11 to year 12. The retention rate has changed from 58.5% to 48.3%. For approximately 40,000 students this difference represents 4,000 less students per annum remaining to year 12 in 1979 compared with 1975.

One of the reasons for this decline is that there appears to be an increasing number of year 11 students moving on to TAFE courses in their 12th year, although TAFE statistics do not enable this to be verified. However, Tertiary Orientation Program (T.O.P.) (equivalent to H.S.C. year but including H.S.C. repeats and mature age students) enrolments have increased from 7,078 in 1975 to 16,152 in 1979.

## TRANSITION RATES - GOVT. SCHLS

TRANSITION BETWEEN YRS %

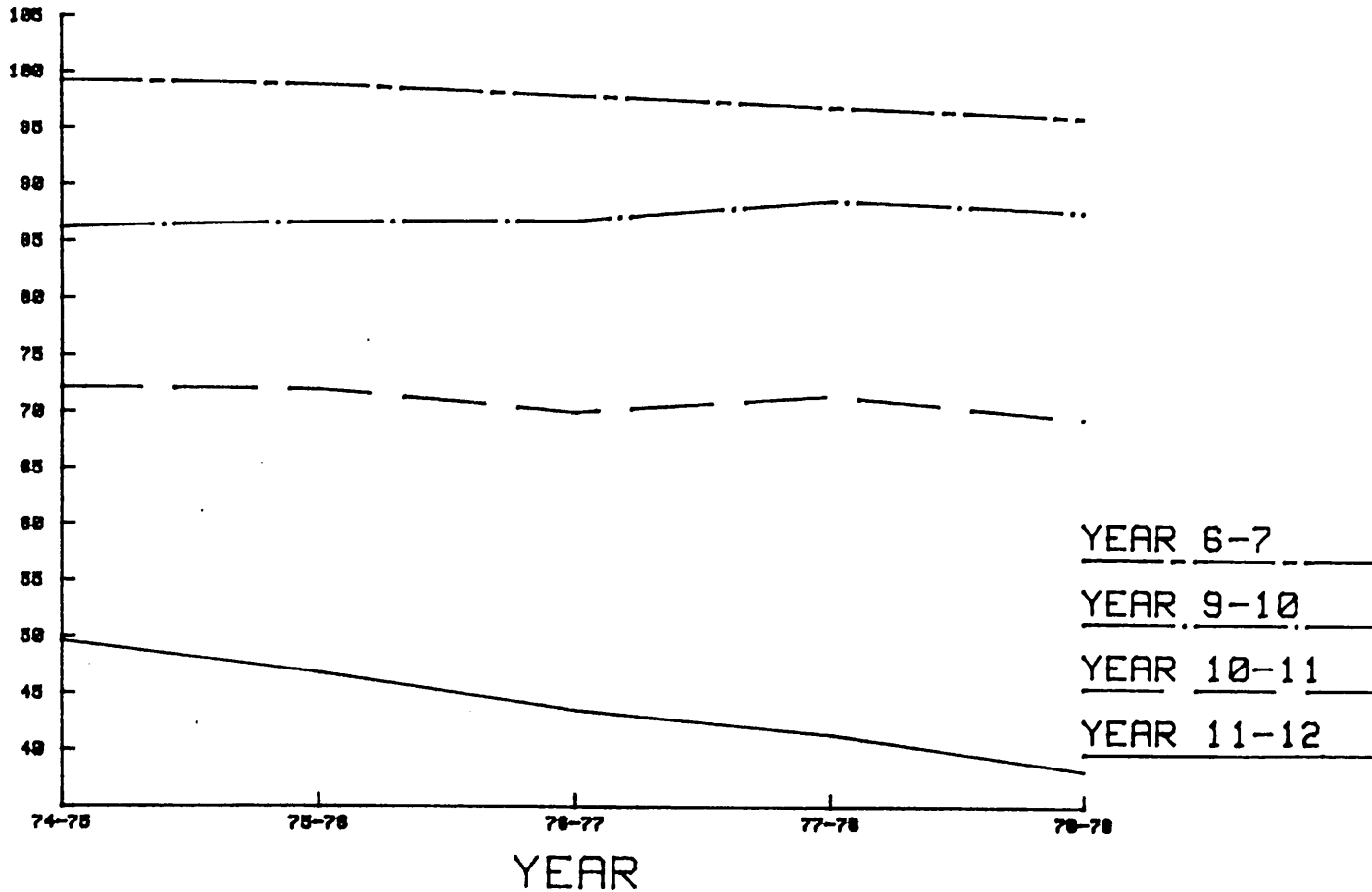


FIGURE 2

**COMMENTS:**

1. Years 8 - 9 (not illustrated), 9 - 10, 10 - 11 have had very stable, if not increasing, retention rates since 1974-75.
2. There is a slightly declining retention rate for the years 6 - 7 during the period 1974/75 to 1978/79.  
Non-government schools show a slight increase for this same group (Figure 3.)
3. The retention rate from year 11 to year 12 has declined from 49.6% to 38.2%. The effect of this has been that while total year 11 enrolments have increased by 5,000 since 1974 the number of year 12 students has not altered.

## TRANSITION RATES-ALL NON GOVT.

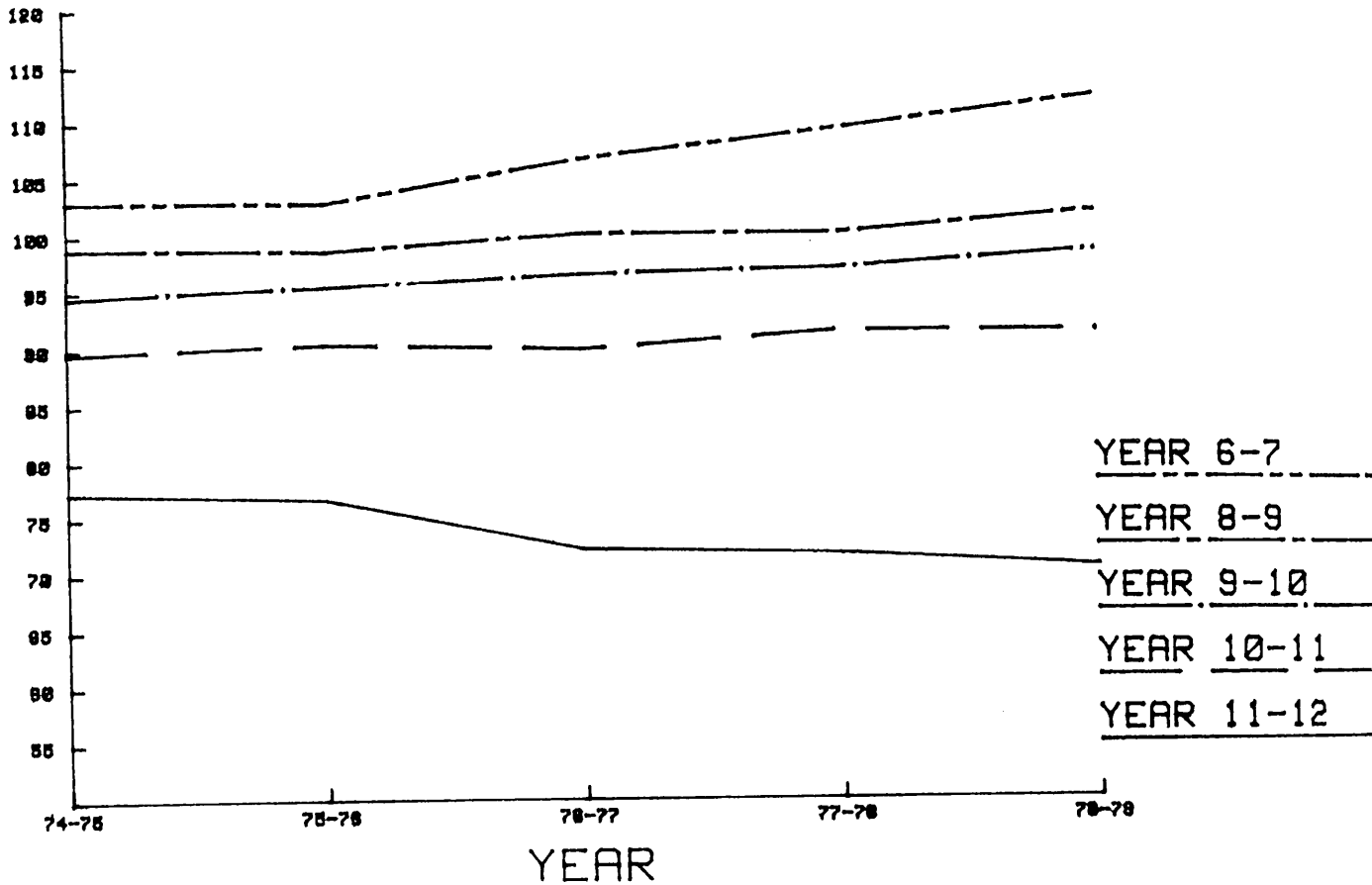


FIGURE 3

**COMMENTS:**

1. Other than the year 11 - year 12 transition rate which has been more or less constant since 1976/77, all other rates have been increasing since 1975/76. The most obvious increase has occurred in the year 6 to year 7 rate.
2. Examination of the components of these figures indicates that a major change has been in the increased ability of Catholic schools to retain their students at the year 6 to 7 level.

The situation in Catholic schools is considered in more detail in Table 1.

## GOVT. STUDENTS AS % OF TOTAL

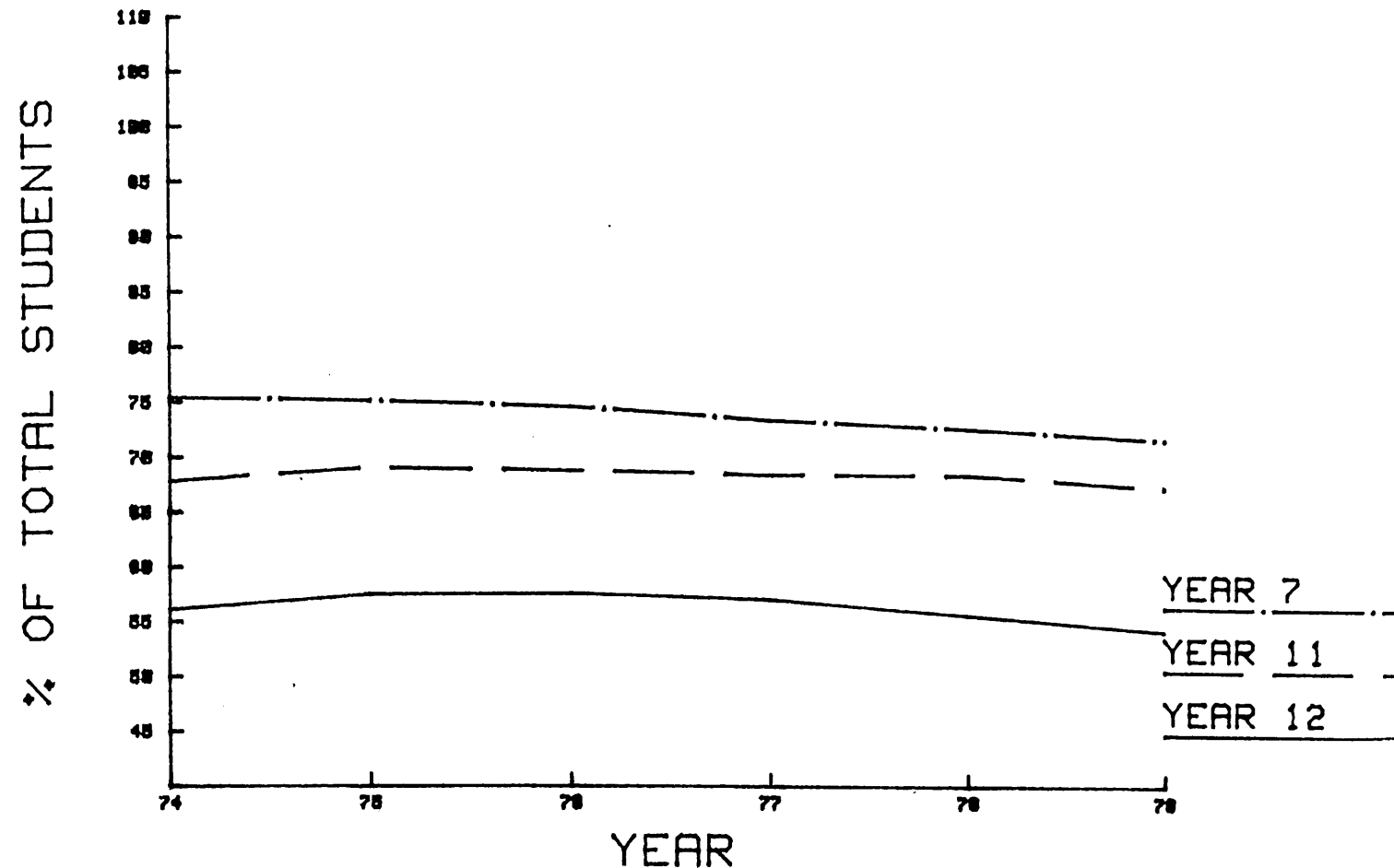


FIGURE 4

**COMMENTS:**

1. Government schools in 1979 had 71.9% of year 7 students compared with 75.4% in 1974. While year 7 enrolments in all schools declined by 3,000 students in the period 1974 - 1979, enrolments in government schools fell by 4,500. Catholic schools gained the majority of this difference. Years 8 and 9 (not illustrated) exhibit a similar but not so obvious trend.
2. Government schools in 1979 had 54.3% of year 12 students compared with 57.5% in 1974 - this represents some 1,000 students.

TABLE 1

**TRANSITION RATES - CATHOLIC STUDENTS**

YEAR OF EDUCATION	Catholic Students as a % of ALL Students			Catholic Students as a % of ALL Non-Government		
	1975	1977	1979	1975	1977	1979
Year 6	20.1	20.7	20.3	83.7	83.0	81.5
Year 7	17.2	18.1	19.2	68.9	68.5	68.4
Year 8	16.9	17.3	18.9	69.1	67.9	69.1
Year 9	16.3	16.6	18.2	66.4	65.6	67.1
Year 10	17.1	17.1	18.1	64.6	64.3	65.0
Year 11	17.6	18.5	19.5	56.7	58.7	60.1
Year 12	21.4	22.2	24.3	50.4	51.9	53.2

**COMMENTS:**

1. Catholic students appear to be remaining in the Catholic school system at an increasing rate in all secondary years. This increase is reflected by a corresponding reduction in total government school enrolments. If the number of year 12 students is compared for 1979 and 1975 there were 600 more students in Catholic schools, no change in other non-government schools but a decline of 1,000 students in Government high schools.

CONSERVATION OF ENERGY RESOURCES COMMITTEE

THIRD PROGRESS REPORT

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PRICING OF LIQUEFIED PETROLEUM GAS,  
ITS RELEVANT USE AND SAFETY ASPECTS  
TOGETHER WITH APPENDICES.

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*Ordered to be printed*

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EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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TUESDAY 29 MAY 1979

7. CONSERVATION OF ENERGY RESOURCES COMMITTEE - The Honorable A. J. Hunt moved, by leave, That the Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling be members of the Conservation of Energy Resources Committee.

Question - put and resolved in the affirmative.

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EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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TUESDAY 29 MAY 1979

28. CONSERVATION OF ENERGY RESOURCES COMMITTEE - Motion made, by leave, and question - That Mr. Amos, Mr. Hann, Mr. McClure, Mr. Tanner and Mr. Trezise be members of the Conservation of Energy Resources Committee (*Mr. Hamer*) - put and agreed to.

TERMS OF REFERENCE

JOINT SELECT COMMITTEE (CONSERVATION OF ENERGY RESOURCES) ACT 1976

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SECTION 3

3. The functions of the Committee are -
- (a) to inquire into and make recommendations on the extent to which energy resources in Victoria should be conserved, whether generally or in relation to particular resources;
  - (b) to inquire into and report on ways and means of implementing those recommendations and in particular in relation to recommendations for the beneficial use of energy resources, to inquire into and report on what variations are necessary or desirable in -
    - (i) building designs, techniques and standards;
    - (ii) the use of insulation in buildings;
    - (iii) vehicle and engine design;
    - (iv) transport systems;
    - (v) industrial and manufacturing processes methods, standards and plant;
    - (vi) methods of promotion of the use of energy;
    - (vii) other significant uses of energy;
  - (c) to inquire into and report on the costs of and benefits to be gained from implementing those recommendations; and
  - (d) to recommend what additional measures and programmes should be taken to encourage a responsible use of those resources.

## SUMMARY OF RECOMMENDATIONS

### Pricing of Liquefied Petroleum Gas:

Para. 16. In the interests of encouraging full utilisation of LPG in this country as a fuel conservation measure, the existing export parity policy should continue. This policy will aid in encouraging the exploration and development of new fields, and curtail inappropriate use of a premium fuel.

However, the Committee recognizes that the present policy does not encourage development of the inland market and recommends that the State Government approach the Commonwealth Government to seek a re-structuring of the excise formula to adequately compensate the producers of naturally occurring LPG as local sales increase and export sales decrease. By actively promoting an expansion of the local market for LPG, especially as an alternative transport fuel, conservation in the use of motor spirit will be significantly enhanced.

### Excise and Profits on Local Sales of LPG:

Para. 23. Where feasible the natural gas grid be expanded to connect with country consumers. As this would be a major capital project the Committee recommends that the Commonwealth Government be approached to fund this expansion as a matter of urgency using part of the excise raised on sales of LPG.

The Committee appreciates that it will not be possible to convert all country domestic or industrial users to natural gas, and that the sale of LPG to these users be subsidised to parity with natural gas until they are connected to natural gas. Such a scheme should find favour with the Commonwealth Government in view of its commitments to a program of conservation of energy.

### Uses of Liquefied Petroleum Gas:

Para. 39. The State Government should approach the Commonwealth Government to amend the Commonwealth Income Tax Assessment Act 1936 to specifically allow the complete tax deduction of LPG conversion costs in the financial year that the conversion was carried out.

Para. 41. Car manufacturers in Australia should be encouraged by the Government to develop specifically designed LPG production vehicles.

If local manufacturers decline to produce such vehicles, the State Government should recommend to the Commonwealth Government that import duty be reduced or removed from such vehicles imported from overseas.

## Safety Aspects of Liquefied Petroleum Gas:

Para. 47. A public education program should be initiated to create public awareness of the dangers of spilled or leaking LPG, and the appropriate safety precautions.

Para. 49. The State and Commonwealth Governments should regulate for every LPG-fuelled vehicle to carry, fixed in the driver's compartment, a copy of the Standards Association of Australia's "Emergency Procedure Guide - Transport - Liquefied Petroleum Gas". (AS 1678 - 2.1.001). (Appendix B).

The Guide should be printed on a metal plate to be attached on or near the LPG tank.

Consideration should be given to a mandatory requirement on a National scale for a visible identification on the outside of a vehicle so that the presence of LPG would be recognized immediately in the event of an accident.

R E P O R T

The CONSERVATION OF ENERGY RESOURCES COMMITTEE, appointed pursuant to the provisions of the Joint Select Committee (Conservation of Energy Resources) Act 1976 (No. 8851), has the honor to report as follows:

1 The Committee's attention has been drawn to publicly-voiced complaints that the present and future pricing policy for liquefied petroleum gas (LPG) has led to an inordinate price increase over the last twelve months with complaints of:

- (i) excessive profits made by suppliers;
- (ii) excessive windfall gains in taxation and excise, for the Commonwealth Government in particular; and
- (iii) unfair penalisation of certain sections of the community, in particular, the Victorian country users of LPG.

2 The Committee has treated these complaints with some concern since the pricing of LPG and its general public acceptance is directly relevant to the problem of conservation of transport fuels in Victoria. It therefore invited evidence from one party supporting the complaints (Gas and Fuel Corporation), and from one producer of LPG. (The Broken Hill Proprietary Company Limited).

3 Appended to this Report is a list of witnesses (Appendix A), together with Minutes of Evidence(1).

Characteristics and Sources of Liquefied Petroleum Gas (LPG).

4 The Committee believes that at this stage of the Report it is necessary to briefly describe what is LPG, where it comes from, how it is consumed, and its inherent storage problems.

5 LPG is a generic term used to describe propane and butane gases which although gaseous at atmospheric temperatures and pressures, can be stored as liquids under moderate pressures or reduced temperatures.

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(1) Minutes of Evidence not printed.

6 LPG in Australia is derived from two sources:

- (i) as a continual by-product from ordinary oil refining processes; and
- (ii) as a naturally occurring component in crude oil and natural gas from Bass Strait and other fields.

7 Storage of LPG presents significant problems because its flow is a continual output of both refineries and oil and natural gas production. Storage capabilities at refineries and at the gas fractionation plant at Long Island are limited to a few days' output, and therefore ways have to be found to dispose of the LPG. Within refineries only limited amounts of the two gases can be used as:

- (i) refinery fuel;
- (ii) feedstock for other refinery processes; and
- (iii) as blendstock for products, especially motor spirit.

In view of the high cost of storage, any LPG not consumed by these three methods must be sold on the local or export market, or be burnt off (flared). The majority of the LPG consumed within Victoria is supplied by local refineries, and any shortfall is made good by using LPG from Bass Strait. The remainder (approx. 95%) of the LPG from Bass Strait is sold on the export market, mainly to Japan.

8 Figures published by the Australian Institute of Petroleum in August 1979, show that in 1977-78, Australia consumed 5 236 000 barrels (832 000 megalitres or approx. 435 000 tonnes), and exported 17 959 000 barrels (2 855 000 megalitres or approx. 1 520 000 tonnes) of LPG.

How this large amount of exported LPG could, in the Committee's view, be better utilized within Australia is discussed later in this Report.

#### Pricing of Liquefied Petroleum Gas (LPG).

9 The setting of prices for LPG - both ex-refinery and from Bass Strait - was, until November 1978, under the jurisdiction of the Prices Justification Tribunal. From August 1975, the inland price (i.e. the Australian domestic price) of LPG was set at \$66.88/tonne. In November 1978, the Prices Justification Tribunal approved a price of LPG ex-refineries of \$83.00/tonne, but made no change to the price of LPG ex Bass Strait. This naturally caused consumers to shift their demand to LPG ex Bass Strait, which resulted in some refinery LPG being burned to waste or used as refinery fuel because, it was claimed, it could not be marketed at the higher price.

In an effort to remove the price differential, and to stop this waste, the Commonwealth Government removed naturally occurring LPG from the jurisdiction of the Prices Justification Tribunal(2). This resulted in Esso/BHP increasing their price of LPG ex Bass Strait to \$83.00/tonne, the same as refineries.

Following this decision, oil-refinery operators lodged successive applications with the Prices Justification Tribunal for higher prices on their product, the latest approval taking the price of refinery LPG to \$147.00/tonne, with Esso/BHP matching each price increase for naturally occurring LPG. Listed below is the LPG price serial since 1974.

TABLE 1.  
LPG PRICE SERIAL SINCE 1974 <sup>(3)</sup>

<u>Date of Refinery Price Increase</u>	<u>Refinery Price A\$/Tonne</u>	<u>NATURAL LPG (Westernport FOB)</u>	
		<u>Corresponding (A\$/Tonne) Price</u>	
		<u>Inland</u>	<u>Export (Approx.)</u>
Before 13 May 1974	27.56	42.00	49.00
13 May 1974	41.34	42.00	87.00
7 March 1975	55.12	42.00	94.00
4 September 1975	66.32	67.00*	96.00
7 October 1975	67.82	67.00	96.00
27 November 1975	75.82	67.00	96.00
1 November 1976	42.00	67.00	112.00
20 December 1976	50.92	67.00	112.00
6 June 1977	52.00	67.00	115.00
13 September 1977	67.00	67.00	116.00
1 August 1978	69.00) BP	67.00	98.00
7 September 1978	81.00) flared	67.00	98.00
23 October 1978	83.00)	67.00	112.00
30 November 1978	83.00	83.00	
30 January 1979	88.00	88.00	115.00
30 April 1979	110.00	110.00	113.00
16 July 1979	128.00	128.00	115.00
20 August 1979	147.00	147.00	161.00
September 1979			187.00

N.B. Export figures are based on BHP Contract Prices.

\*Inland Price reflects approx. \$25. a tonne excise applied 19 August 1975.

- 
- (2) This policy was announced by the Minister for National Development on 29 November 1978.
- (3) Figures supplied by B.H.P. Co. Limited.



10 The main reason the price was allowed to rise was because of the adoption by the Commonwealth Government of a policy of setting world export parity prices for LPG. This is the price at which LPG is bought and sold on the world market. Dr. Hodgson of B.H.P. defined it thus:

*The export parity price is based on the price it would cost to land the LPG in Japan from the Middle East, less the freight and other costs of getting the LPG from Australia, so it is really based on the inherent value of the hydrocarbons for which the rest of the world is prepared to pay at Westernport.*

11 It has been claimed by the Commonwealth Government<sup>(4)</sup> that its decision to adopt export parity pricing will:

- (i) curtail wasteful use of this finite resource in Australia;
- (ii) aid in encouraging the exploration for and development of new fields; and
- (iii) encourage producers of naturally occurring LPG to develop local markets.

The Committee agrees with the concepts outlined in (i) and (ii), but cannot accept that the resulting higher prices will achieve the desired result outlined in (iii).

In its evidence, B.H.P. submitted that the adoption of export parity pricing has removed the previously existing disincentive to develop the local market but agreed there is still no positive incentive in the present policy.

Further, the company claimed that the export of LPG was controlled by the Commonwealth Government through the issue of export licences.

The Committee however believes that active financial encouragement is the best immediate means by which the inland market can be developed to its fullest potential as quickly as possible.

At present, however, this financial encouragement for the producers is substantially removed by the imposition of excise.

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(4) Refer to policy statement released by the Minister for National Development on 29 November 1978, and reported in the Commonwealth Record, Volume 3, No. 47; and speech to Petroleum Exploration Association by the Minister for National Development on 12 March 1979, and reported in the Commonwealth Record, Volume 4, No. 10.

The Minister for National Development has stated on 29 November 1978, that any extra profits earned by the producers of locally occurring LPG on local sales would be absorbed in excise. This excise therefore removes any real financial incentive for local producers to develop the local market and in fact encourages them to export where they are more likely to command higher prices. If local sales increase and the volume exported decreases then Esso/BHP would receive less revenue and, because of the structuring of the formula to calculate the rate of excise, they would pay higher excise rates.

12 The Royal Commission on Petroleum's Sixth Report: "The Use of Liquefied Petroleum Gas in Australia" (5), (page 7) identified this problem when it stated:

*Australia has LPG in quantities far exceeding current or reasonable projections as to future local demand. The key issue in terms of public policy is how this surplus production of 1½ to 2 million tonnes per year in the 1980's may be best disposed of in the interest of the nation as a whole. Past policies or lack of policies have led to a situation where almost all LPG produced from Australian oil and gas fields is exported at prices which as a result of the 1973 crude oil price rises, give the producers windfall profits. These prices which are higher than local prices fixed by the Prices Justification Tribunal remove all incentive to create a local market. Why turn LPG into a local market at \$67 a tonne when Japan will pay more than \$90 a tonne f.o.b.? Indeed the local controlled price for LPG has on occasions resulted in situations where Australian users such as rural gas utilities have been left in short supply.*

The Royal Commission further stated (page 9):

*Only LPG is a feasible substitute for motor spirit between now and 1990. Yet granting all the dedication that successive governments have applied to the national retention of indigenous crude oil, no part of any similar dedication seems to have been applied to LPG. Not merely a similar, but in transportation terms, directly substitutional national resource to the nation's crude oil resource has thus year after year been exported as if it was self-renewing.*

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(5) Royal Commission on Petroleum, Sixth Report, The Use of Liquefied Petroleum Gas in Australia, Australian Government Publishing Service, Canberra, 1976.

The Committee considers it unfortunate that the problems identified by the Royal Commission in 1976 were largely ignored until last year, when apparently the Commonwealth Government realised that the only means whereby the trend could be reversed was to introduce export parity pricing.

13 In its evidence the Gas and Fuel Corporation expressed the belief that Australians should not have to pay world prices for local, naturally occurring LPG. It submitted that:

*Firstly, the Federal Government should be called upon to abolish its so-called "export parity" pricing policy particularly for LPG consumed in Victoria. Secondly, that the price of Bass Strait LPG sold on the Australian market should be related to the true cost of production plus a fair margin of profit for the producers. Thirdly, that all LPG ex Bass Strait consumed on the Australian market should be free of excise levy.*

14 The Committee considered this alternative policy of "fair margin of profit", but believes it suffers two severe limitations

- (i) the difficulty of establishing an agreed measure of "fairness"; and
- (ii) the difficulty of defining what would be "profit" on LPG, since it is one of a complex of many products, all of which must bear some part of the producers' original costs for exploration, field development, marketing, etc.

The Australian Society of Accountants and the Institute of Chartered Accountants in Australia commented on this aspect in paragraph 6 of their "Accounting Standard AAS7" : "Accounting for the Extractive Industries", where they state:

*In the extractive industries, economically recoverable reserves are the ultimate source of revenue. Costs incurred in the exploration phase are directed towards the discovery of such reserves, while costs in the evaluation phase are directed towards proving the reserves. Costs incurred during the development and construction phase have the purpose of preparing for effective exploitation of the reserves. To achieve a proper matching of costs with revenue, each unit of product sold needs to bear its proportionate share of exploration, evaluation, development and construction costs. To this end, it may be necessary to carry forward these costs,*

*for subsequent amortisation or depreciation during the production phase. On the other hand, if exploration and evaluation are unsuccessful, this results in a loss of entity funds, which cannot be reversed. The loss needs to be recognised in the financial statements, no matter whether the funds for those activities were originally provided out of subscribed capital (as, for example, with a newly formed exploration entity), or out of earnings (as, for example, with an entity engaged in production which at the same time continues further exploration and evaluation).*

15 The Committee therefore considers that the Gas and Fuel Corporation's proposal will be difficult to apply in practice. The Committee further believes that a return to a policy of arbitrarily-held low prices would mitigate against the objectives listed in paragraph 11.

16 It is therefore the recommendation of the Committee that, in the interests of encouraging full utilisation of LPG in this country as a fuel conservation measure, the existing export parity policy should continue. This policy will aid in encouraging the exploration and development of new fields, and curtail inappropriate use of a premium fuel.

However, the Committee recognizes that the present policy does not encourage development of the inland market and recommends that the State Government approach the Commonwealth Government to seek a re-structuring of the excise formula to adequately compensate the producers of naturally occurring LPG as local sales increase and export sales decrease. By actively promoting an expansion of the local market for LPG, especially as an alternative transport fuel, conservation in the use of motor spirit will be significantly enhanced.

#### Excise and Profits on Local Sales of LPG.

17 When the Commonwealth Government announced the removal of the Prices Justification Tribunal's control over naturally occurring LPG, the Minister for National Development stated that any resulting increase in profits on local sales of this LPG would be absorbed by an increase in the excise levy on total production of LPG ex Bass Strait.

The actual increase quoted was from \$12.60 per kilolitre to \$13.00 per kilolitre.

Listed below is a Table showing the rate of excise on LPG since excise was introduced in August 1975.

TABLE 2

INLAND PROPANE PRICE AND EXCISE SERIAL SINCE 1974

DATE	COMMENT	COMPONENTS OF PRICE			FOB Price ex Westernport \$/tonne
		Product \$/t	Excise \$/kl	Excise \$/t	
1974		42.00	No excise		42.00
August 1975	\$2.00 bbl excise applied to crude oil and LPG in 1975 Budget.	42.00	12.60	25.00	67.00
30 Nov.1978	LPG proscribed from PJT. Price increased to ex-refinery levels. Government increased excise to transfer all of increase in local price to Government.	57.42	13.00	25.58	83.00
30 Jan.1979	PJT approved LPG price increase of \$5 a tonne.	62.42	13.00	25.58	88.00
30 Apr.1979	PJT approved LPG price increase to 'export parity'. Excise was increased \$1.00/kl on 2.5.1979.	82.45	14.00	27.55	110.00
16 July 1979	PJT interim increase of \$18.00 a tonne.	100.45	14.00	27.55	128.00
20 Aug. 1979	PJT final increase \$19.00 a tonne taking propane closer to export parity.	119.45	14.00	27.55	147.00

Additional to the FOB Westernport price, pumping, transmission and storage charges apply to customers loading road tank wagons at the Gas and Fuel Terminal at Dandenong. Currently, this charge is \$7.02 per tonne, made up as follows:

1. Pumping and transmission (BHP/ESSO charge) \$1.98
2. Gas and Fuel Corporation Storage Charge \$5.04

18 The excise increase is apparently arrived at by determining the approximate increase in revenue from domestic sales, and dividing this by the forecasted total production in tonnes.

For example:

<u>Old Price</u>	(A\$ a tonne)	
30 Nov. 1978	Product	\$42.00
	Excise (approx.)	\$25.00 (\$12.60 a kilolitre)
		<u>\$67.00</u> _____ (A)

<u>New Price</u>	(A\$ a tonne)	
1 Dec. 1978	Product	\$57.42
	Excise (approx.)	\$25.58 (\$13.00 a kilolitre)
		<u>\$83.00</u> _____ (B)

Price Increase B - A = \$16.00 a tonne.

Extra revenue that would accrue to producers from price increase

$$= 75,000 \begin{matrix} \text{(forecast} \\ \text{(inland sales volume)} \\ \text{(in tonnes)} \end{matrix} \times \$16 = \text{A\$1.2 m.}$$

Increase in Excise required to transfer this extra revenue to Federal Government (approximate figures)

$$= \frac{\$1.2 \text{ million (forecast)}}{1.5 \text{ million (total production) (in tonnes)}} = \$0.79 \text{ a tonne.}$$

$$\$0.79 \text{ a tonne} = \$0.40 \text{ a kilolitre.}$$

Excise raised from \$12.60 to \$13.00 a kilolitre.

19 With reference to Table 2, it appears that any extra revenue earned on local sales has been absorbed by the Commonwealth Government with the exception of the rises approved on 16 July 1979 and 20 August 1979. The Committee believes that a further rise in excise to compensate for these rises is imminent.

20 In view of this belief the Committee is not convinced that Esso/BHP will retain windfall profits on local sales of LPG following the adoption of export parity pricing. It is recognized that Esso/BHP earn higher profits on the export market and this would seem to benefit Australia through higher foreign exchange earnings and increased company taxation.

The major beneficiary from LPG price rises is undoubtedly the Commonwealth Government. In 1977-78 it collected an estimated \$37 million in excise on sales of LPG. As the increase in excise was used to absorb the increase in Esso/BHP profits on the local sales of naturally occurring LPG, the Committee believes that the Commonwealth Government should justify, and if necessary reconsider, the ways in which this windfall taxation is being used.

21 The Committee believes that recent and future price rises could, and in some instances have, placed a large burden on country users of LPG. In many country towns LPG is used as town gas, not only for domestic use, but also in decentralised industries. These are towns and industries that are not connected to the main natural gas grid, but rather have their own grid operating on LPG or rely on bottled gas. At this stage the Gas and Fuel Corporation has not increased the retail price of LPG to those towns which have a reticulated system but has increased the price of bottled and bulk LPG.

It could be said that the users of natural gas are subsidising many country users of LPG. On the other hand, it could be claimed that country users of LPG have benefited by an arbitrarily held-down price which has provided an economic deterrent to extending the natural gas pipeline grid and has encouraged an undesirable use of LPG.

22 For reasons which will be detailed later in this Report, the Committee believes that LPG should be used primarily as an alternative transport fuel. The use of LPG as a town gas or in industries where natural gas could be used is, the Committee feels, an unacceptable waste of a premium transport fuel. To correct this situation, it is the Committee's opinion that natural gas should be used instead of LPG. The laying of the necessary pipelines, however, will only receive adequate economic justification if LPG is forced to compete at its "opportunity" price.

23 The Committee therefore recommends that where feasible the natural gas grid be expanded to connect with country consumers. As this would be a major capital project the Committee recommends that the Commonwealth Government be approached to fund this expansion as a matter of urgency using part of the excise raised on sales of LPG.

The Committee appreciates that it will not be possible to convert all country domestic or industrial users to natural gas. The Committee therefore recommends that the sale of LPG to these users be subsidised to parity with natural gas until they are connected to natural gas. The Committee believes that such a scheme should find favour with the Commonwealth Government in view of its commitments to a programme of conservation of energy.

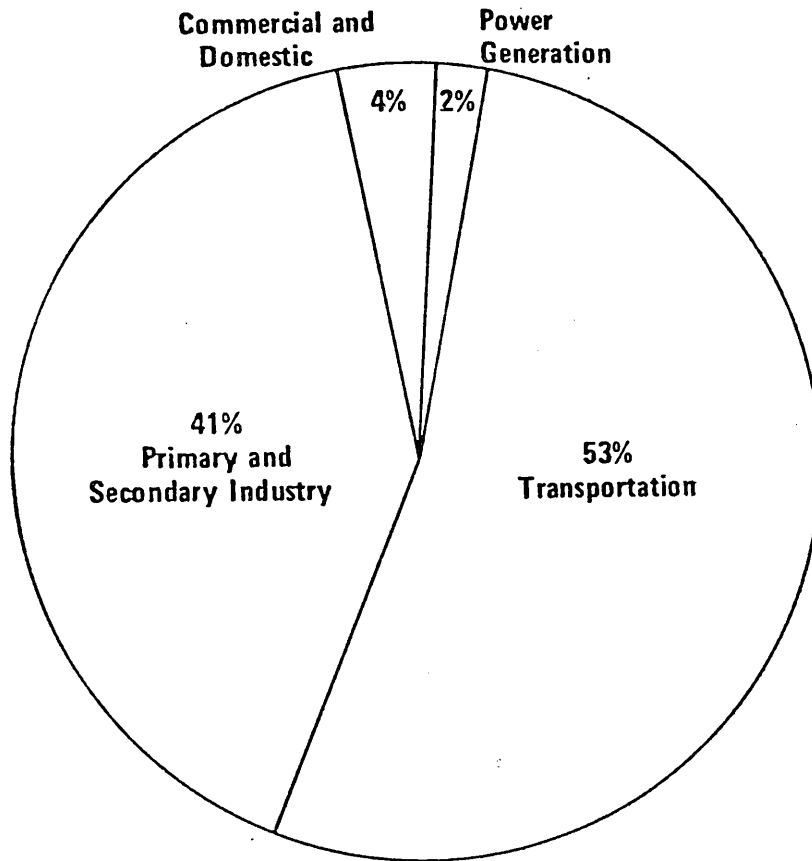
#### Uses of Liquefied Petroleum Gas.

24 The critical energy supply problem that faces Australia will be a shortage of transportation fuels.

The transportation sector consumes approximately 53% of all petroleum in Australia each year, and the following diagram shows the approximate pattern of total petroleum consumption in Australia.



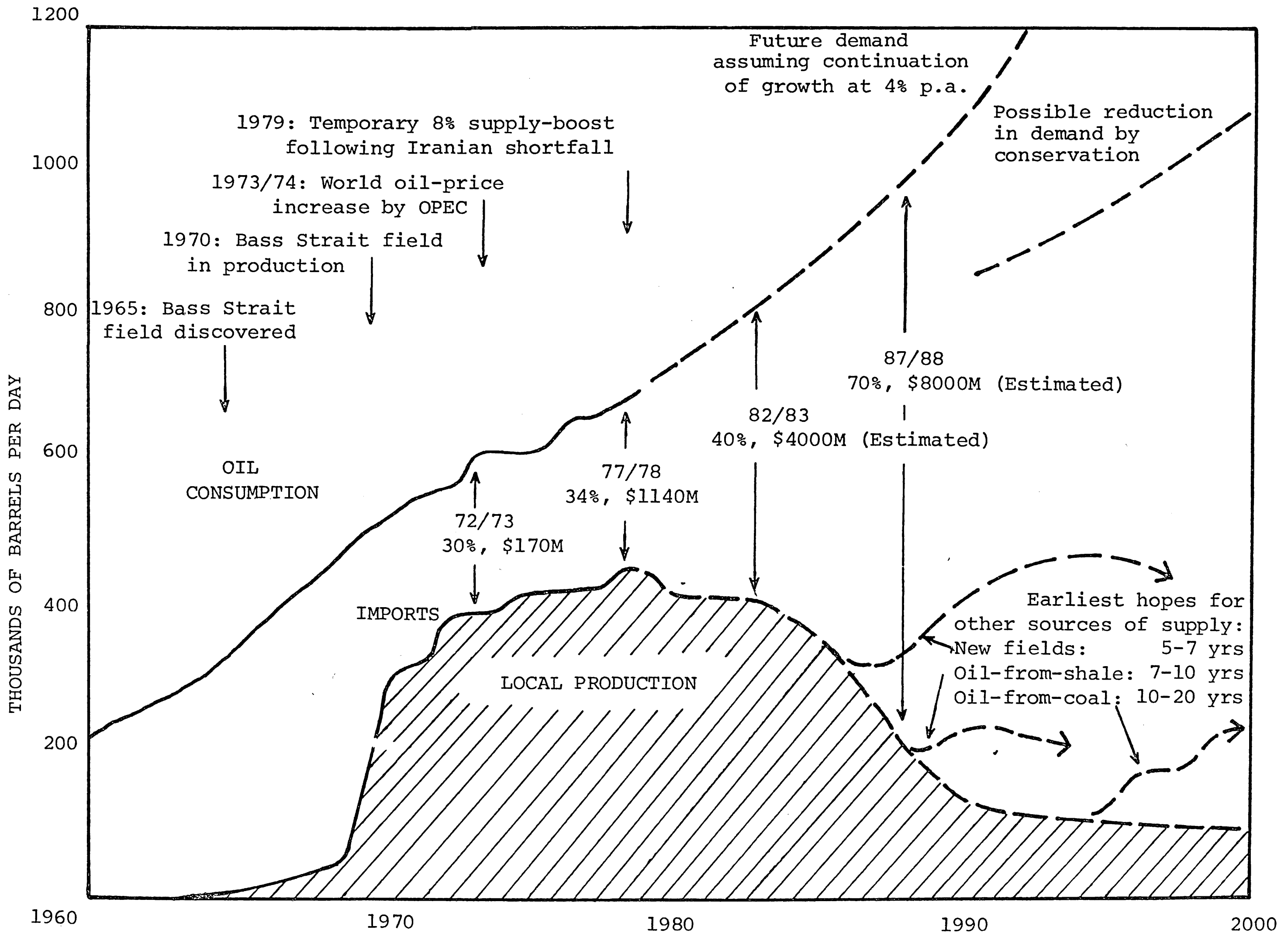
FIGURE 1.



25 Within the transportation sector, it is estimated that road transport (cars, motor cycles, buses, trucks, etc.) accounts for approximately 81% of the consumption. Therefore, road transport uses approximately 43% of Australia's total petroleum, (i.e. 53% of 81% = 43%).

26 Australia at present imports approximately 34% of its crude oil needs (refer Figure 2, page 13) and this figure is expected to grow dramatically in the next decade if no new local discoveries are made. This growth in imported crude oil will not only require large overseas reserves to pay for it, but more importantly it will mean that this supply could be easily disrupted by events over which Australia has no control. The country will become increasingly dependent on the goodwill of oil-exporting nations. The interruption to supplies of oil from Iran following the recent change of Government in that country amply demonstrates this serious problem.

27 The Committee believes that Australia's enormous reserves of coal and natural gas will be utilised at an increasing rate to replace petroleum-based energy sources in commercial, industrial and domestic areas. However, these reserves cannot easily be used to replace the liquid fuels needed by the transportation sector.



AUSTRALIAN OIL SUPPLY AND DEMAND - THE CRITICAL DECADE, 1980-1990.

SOURCE: DATA TO 1979 FROM AUSTRALIAN INSTITUTE OF PETROLEUM AND FORECASTS BY DR. D. R. WARREN

28 The Royal Commission on Petroleum (Sixth Report, page 9) stated:

*Few nations are so overwhelmingly dependent upon long and short distance transportation; our major centres are separated by hundreds if not thousands of miles; our domestic shipping is notably expensive, even our cities are sprawling aggregations; all placing a high premium on transportation hydrocarbons.*

*Only LPG is a feasible substitute for motor spirit between now and 1990.*

The Committee therefore believes that the most appropriate use for LPG is as a transport fuel. It has been estimated that if all the LPG produced in Australia were used as a transport fuel, there would be an equivalent saving on a transport energy basis of about 14% of our present oil consumption.

29 Apart from the fuel conservation benefits for the nation, there are a considerable number of other advantages which are claimed for LPG as an automotive fuel. These are:

- (i) Lower cost of LPG.
- (ii) Reduced exhaust emissions.
- (iii) Increased engine life.
- (iv) Increased life of engine oil and oil filters.
- (v) Increased battery and spark plug life because of easier cold starting and cleaner combustion.
- (vi) Increased torque at low speeds.
- (vii) Reduced possibility of pilferage of fuel.

30 There are also some disadvantages, and these are generally recognized as:

- (i) Capital cost of conversion. (The cost ranges from \$780 for a 6-cylinder car to over \$1,000 for a large truck).
- (ii) Modifications needed for some engines designed for petrol.
- (iii) Loss of power at high speeds.
- (iv) Carrying gas cylinders in vehicle not designed for the purpose.

- (v) Safety aspects.
- (vi) Limited fuel distribution network.

31 Consideration was given to which types of vehicles should be encouraged to convert to LPG. It was recognized that, in the event of any disruption in supplies of petrol and diesel fuel, industrial vehicles and public transport would be required to maintain essential services throughout the country while private (social and pleasure) vehicles could be restricted.

32 In the belief that the following categories of vehicles (all heavy users of motor spirit) would be best suited to LPG conversion, the Committee recommends that the greatest encouragement should be given to fleet conversions made up of:

- (i) Commonwealth, State and Local Government fleets.
- (ii) Light to medium delivery vehicles.
- (iii) Taxis.
- (iv) Material handling vehicles (e.g. forklifts).
- (v) Heavy trucks and buses (where possible).

33 Many private vehicles would not travel a sufficient distance to recoup conversion costs, and probably recent advertising encouraging conversion by private motorists has been over-optimistic on this point. Moreover, safety hazards of LPG use are more likely to be minimized on a fleet basis with correctly-maintained facilities, procedures and maintenance, than in the hands of the private motorist or amateur mechanic.

34 Major considerations in converting vehicles to LPG are the availability of fuelling points, and the area in which the vehicles are operated. As most of the vehicles in categories (i) to (iv) (paragraph 32) operate in urban areas within their fuel range, and where LPG and regular maintenance would be readily available, they are ideal vehicles for conversion. The problem with many vehicles within category (v) is that they operate over long distances and often in areas where fuel supply could be limited. This factor would preclude some vehicles at this stage from converting.

35 The Committee believes there is little problem in converting Government fleets, and this should be done promptly to set an example. The problem, the Committee believes, will be in encouraging non-Government fleet owners to convert. The Commonwealth Government has shown support and encouragement by removing the 2.125 cents per litre fuel tax on LPG from 28 June 1979, and removing sales tax on conversion kits from that date as well.

36 The Committee believes that added incentive would be given to fleet owners to proceed with conversions if the Commonwealth Government were to reaffirm its previous pledge that, if the fuel tax on LPG is ever re-introduced, it will retain a relative advantage in its rate of excise compared with that of motor spirit and diesel fuel.

37 The Committee believes that the capital cost of conversion of approximately \$780-\$1000 per vehicle (depending on size) is still deterring many fleet owners from undertaking conversion. As most fleet owners would operate overdraft facilities, or would require additional finance to pay for the conversion, interest charges would have to be added to this cost.

38 An area that the Committee believes could be developed to motivate fleet owner to convert is that of tax deductibility. At present, under the provisions of the Commonwealth Income Tax Assessment Act 1936, the cost of LPG conversion is added to the value of the motor vehicle, and is depreciated (amortised) over the life of the vehicle.

The Committee believes that it would be more appropriate to allow the conversion costs as a complete tax deduction in the year of conversion.

39 The Committee therefore recommends that the State Government approach the Commonwealth Government to amend the Commonwealth Income Tax Assessment Act 1936 to specifically allow the complete tax deduction of LPG conversion costs in the financial year that the conversion was carried out.

40 The Committee also examined the possibility of LPG powered vehicles being built on the production line by car manufacturers. This move would eliminate high conversion costs and yield more fuel-efficient vehicles. The most desirable types of vehicles would be urban utilities, delivery vans and specially-designed taxis and the Committee proposes to investigate this concept further in its next Inquiry into vehicle and engine design and alternative fuels. However, it believes at this stage that the idea is worth evaluating and that car manufacturers in Australia be encouraged to produce such vehicles.

41 The Committee therefore recommends that car manufacturers in Australia be encouraged by the Government to develop specifically designed LPG production vehicles.

The Committee further recommends that if local manufacturers decline to produce such vehicles, the State Government recommend to the Commonwealth Government that import duty be reduced or removed from such vehicles imported from overseas.

### Safety Aspects of LPG.

42 During the course of its inquiries and deliberations, the Committee became concerned that the general public was unaware of the safety aspects of LPG. The Committee believes that some of the dangers of using and transporting LPG have been overlooked with the recent increased use of LPG as a transport fuel.

43 The Committee is concerned with a general lack of public awareness as to the inherent risks involved in the use of LPG, and also that Governments appear to have paid too little attention to specified standards of conversion and installation.

44 The risks normally only occur when LPG cylinders or fittings are damaged and LPG can escape. Petrol and other flammable liquids remain as liquids when spilled from a container except for relatively slow evaporation into the air. When released from a pressurised container LPG will vaporise almost instantly and form an explosive mixture which, because it is heavier than air, will spread along the ground and collect in depressions. If no ignition occurs, the gas will eventually dissipate if not confined and no serious problem will occur, but this may take many hours during which time the ignition hazard can persist for a large area away from the spill.

45 Some idea of the magnitude of the gas volumes involved is illustrated by the fact that when LPG is released to the atmosphere, it rapidly expands from the liquid to the gaseous state at a volumetric ratio of 1:270. This would mean that a spillage of 100 litres of LPG would become 27 000 litres of gaseous fuel. Combined with the amount of air required to give the most explosive mixture, the total volume of explosive gas would become 700 000 litres.

46 If the gas is confined (e.g. in a car boot or an unvented garage) and the gas/air mixture is ignited, a serious explosion will result.

Also, another violent type of explosion known as a BLEVE (boiling liquid expanding vapour explosion) can occur when a cylinder containing LPG is ruptured upon being heated to a high temperature as in a fire.

47 The Committee therefore recommends that a public education program should be initiated to create public awareness of the dangers of spilled or leaking LPG, and the appropriate safety precautions.

48 The Committee also expresses concern that when vehicles are converted the only safety instructions are a "No Smoking" sticker, and a sticker warning not to fill the tank beyond 80% capacity. The Committee believes that this type of warning is inadequate since it is believed by the Committee that both these warnings are frequently ignored.

49 The Committee therefore recommends that the State and Commonwealth Governments regulate for every LPG fuelled vehicle to carry, fixed in the driver's compartment, a copy of the Standards Association of Australia's "Emergency Procedure Guide - Transport - Liquefied Petroleum Gas". (AS 1678 - 2.1.001). (Appendix B).

The Committee also recommends that the Guide be printed on a metal plate to be attached on or near the LPG tank.

It further recommends that consideration be given to a mandatory requirement on a National scale for a visible identification on the outside of a vehicle so that the presence of LPG would be recognized immediately in the event of an accident.

Committee Room,  
25 October 1979.

## APPENDIX A

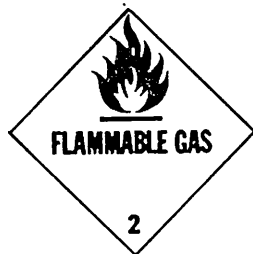
## LIST OF WITNESSES

Mr. N. A. Smith,	)	
Chairman and General Manager	)	Gas and Fuel
	)	Corporation
Mr. R. Palmer,	)	of Victoria.
Commercial Manager	)	
	)	
Mr. D. A. Wittwer,	)	
Executive General Manager,	)	
Oil and Gas Division	)	
	)	
Mr. T. H. Ramsay,	)	The Broken Hill
Manager Planning,	)	Proprietary
Oil and Gas Division	)	Co. Limited.
	)	
Dr. E. A. Hodgson,	)	
Petroleum Marketing Manager,	)	
Oil and Gas Division	)	



**EMERGENCY PROCEDURE GUIDE – TRANSPORT**

**LIQUEFIED PETROLEUM GAS  
(LPG)**



LABEL 2.1

*Colourless gas with a smell like town gas.  
Gas is transported under pressure as a liquid in tankers and cylinders.  
Liquid vapourizes rapidly on release and spreads steadily along the ground.  
Gas is heavier than air and will collect in low lying areas.*

**HAZARDS**

**Fire**

*Liquid and gas highly flammable.  
Gas forms explosive mixture with air.  
Liquid vapourizes rapidly on release and spreads steadily along the ground.*

**Exposure**

*Gas causes dizziness and drowsiness.  
Vapourizing liquid causes frostbite even through normal gloves.*

**EMERGENCY PROCEDURES**

**If this happens**



**Do this**



**Spill or leak**

Shut off engine and any electrical equipment and leave 'off' until vapour hazard is removed.  
If available, use outside 'Emergency Stop' handles.  
No smoking or naked lights within 70 metres.  
Move people from the area. Move upwind.  
Avoid breathing vapour and contact with liquid or gas.  
Stop leaks if possible.  
If possible, separate leaking container and stand so that only gas escapes.  
Spray water to disperse gas cloud but avoid playing water directly on leaking container as this will increase leakage.  
Prevent spillage from spreading or entering underground drains by banking with sand or earth.  
Don't start the vehicle engine or other engines and/or operate electrical equipment in the area.  
Inform the fire brigade and police.

**Fire**

Shut off engine and any electrical equipment and leave 'off' until vapour hazard is removed.  
Move people from the area. Move upwind.  
Send messenger to notify fire brigade and police. Tell them location, material and quantity.  
Attempt to cut off source of gas rather than put out fire.  
If available, play water on containers to keep cool.  
Remove containers from vehicle if not in area of fire, or remove other material to prevent spread of fire to containers.  
If fire gets out of control, evacuate area and warn against entry.

If this happens ↓	Do this ↓
<b>Tanker/Vehicle Accident</b>	<p>Shut off engine and any electrical equipment and leave 'off' until vapour hazard is removed.</p> <p>Move people from the area. Move upwind.</p> <p>Check for spills or leaks.</p> <p>Send messenger to notify police and fire brigade. Tell them location, material and owner. Indicate condition of vehicle and any damage observed.</p> <p>Don't start the vehicle engine or other engines and/or operate electrical equipment in the area.</p> <p>If tanker is on fire, evacuate area and warn against entry.</p>

## FIRST AID

<b>Gassing</b>	<p>Remove patient to fresh air, lay down, rest.</p> <p>If patient is not breathing, make sure airway is clear and apply artificial respiration. Oxygen may be given, but only under supervision of a trained person.</p> <p>Keep patient warm.</p> <p>Call doctor at once or transport to doctor or hospital.</p>
<b>Eyes</b>	<p>Hold eyes open and wash continuously with water for at least 15 min.</p> <p>Transport to doctor or hospital.</p>
<b>Skin</b>	<p>Immediately wash affected areas with plenty of water to prevent frostbite.</p> <p>Transport to doctor or hospital.</p>

## EMERGENCY CONTACT

Organization	Location	Telephone*	Ask for



CONSERVATION OF ENERGY RESOURCES COMMITTEE

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*FOURTH PROGRESS REPORT*

RESTRUCTURING OF  
MOTORING COSTS

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*Ordered to be printed*

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EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

---

TUESDAY 29 MAY 1979

7. CONSERVATION OF ENERGY RESOURCES COMMITTEE - The Honorable A. J. Hunt moved, by leave, That the Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling be members of the Conservation of Energy Resources Committee.

Question - put and resolved in the affirmative

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EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

---

TUESDAY 29 MAY 1979

28. CONSERVATION OF ENERGY RESOURCES COMMITTEE - Motion made, by leave, and question - That Mr. Amos, Mr. Hann, Mr. McClure, Mr. Tanner and Mr. Trezise be members of the Conservation of Energy Resources Committee (*Mr. Hamer*) - put and agreed to.

TERMS OF REFERENCE

JOINT SELECT COMMITTEE (CONSERVATION OF ENERGY RESOURCES) ACT 1976

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SECTION 3

3. The functions of the Committee are -

- (a) to inquire into and make recommendations on the extent to which energy resources in Victoria should be conserved, whether generally or in relation to particular resources:
- (b) to inquire into and report on ways and means of implementing those recommendations and in particular in relation to recommendations for the beneficial use of energy resources, to inquire into and report on what variations are necessary or desirable in -
  - (i) building designs, techniques and standards;
  - (ii) the use of insulation in buildings;
  - (iii) vehicle and engine design;
  - (iv) transport systems;
  - (v) industrial and manufacturing processes methods, standards and plant;
  - (vi) methods of promotion of the use of energy;
  - (vii) other significant uses of energy;
- (c) to inquire into and report on the costs of and benefits to be gained from implementing those recommendations; and
- (d) to recommend what additional measures and programs should be taken to encourage a responsible use of those resources.

## Conclusion and Recommendations

40 The Committee believes that restructuring the existing transport taxation system to remove standing charges on vehicles and replace these charges with an equivalent fuel tax is the most important action which could be immediately taken by the Government to assist fuel conservation in this country.

41 The Committee believes such a move would:

- (i) be non-inflationary in the long term;
- (ii) produce an immediate reduction in fuel consumption;
- (iii) remove the encouragement produced by the present system to amortise high standing costs by the use of more fuel; and
- (iv) be an essential first step to motivate the community towards all the other proposed fuel-saving options (car pooling, smaller cars, etc.) by "making fuel worth saving".

42 The Committee recommends that the Victorian Government immediately announce its support for the concept in principle and begin immediate negotiations with the other State Governments, and with the Commonwealth Government, to find the most satisfactory and cost-beneficial mechanism for its implementation.





R E P O R T

The CONSERVATION OF ENERGY RESOURCES COMMITTEE, appointed pursuant to the provisions of the Joint Select Committee (Conservation of Energy Resources) Act 1976 (No. 8851), has the honor to report as follows:

1 For the past year the Committee has been conducting an Inquiry into Traffic Management, as it is believed by the Committee that this is an area where there is potential for energy conservation.

2 The Terms of Reference and Guidelines adopted by the Committee for this Inquiry were made as comprehensive and wide as possible, and at this stage the Committee is yet to finalise this Inquiry.

3 One part of the Inquiry that the Committee examined was the desirability of removing the fixed costs of motoring and replacing them with a fuel tax.

The Committee has completed its deliberations in this area and agreed that this is a subject that should receive prompt Government attention because of its fuel conservation benefit, and therefore decided to make an Interim Report on this aspect of its Traffic Management Inquiry.

4 A list of witnesses, Minutes of Evidence and Submissions received by the Committee, will be appended in its Final Report on Traffic Management.

Promoting Liquid Fuel Conservation

5 In its Report upon the Pricing of Liquefied Petroleum Gas, its Relevant Use and Safety Aspects<sup>(1)</sup>, the Committee stated, at paragraphs 24 and 25:

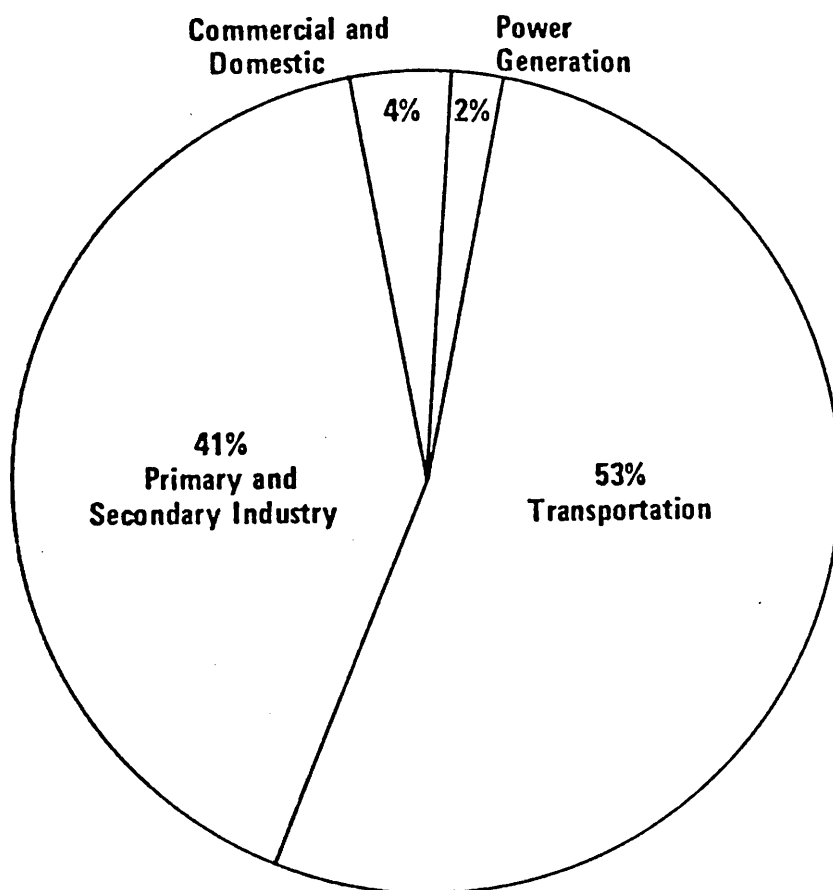
*24 The critical energy supply problem that faces Australia will be a shortage of transportation fuels.*

*The transportation sector consumes approximately 53% of all petroleum in Australia each year, and the following diagram shows the approximate pattern of total petroleum consumption in Australia.*

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(1) Parliamentary Paper D-No. 6/1979.

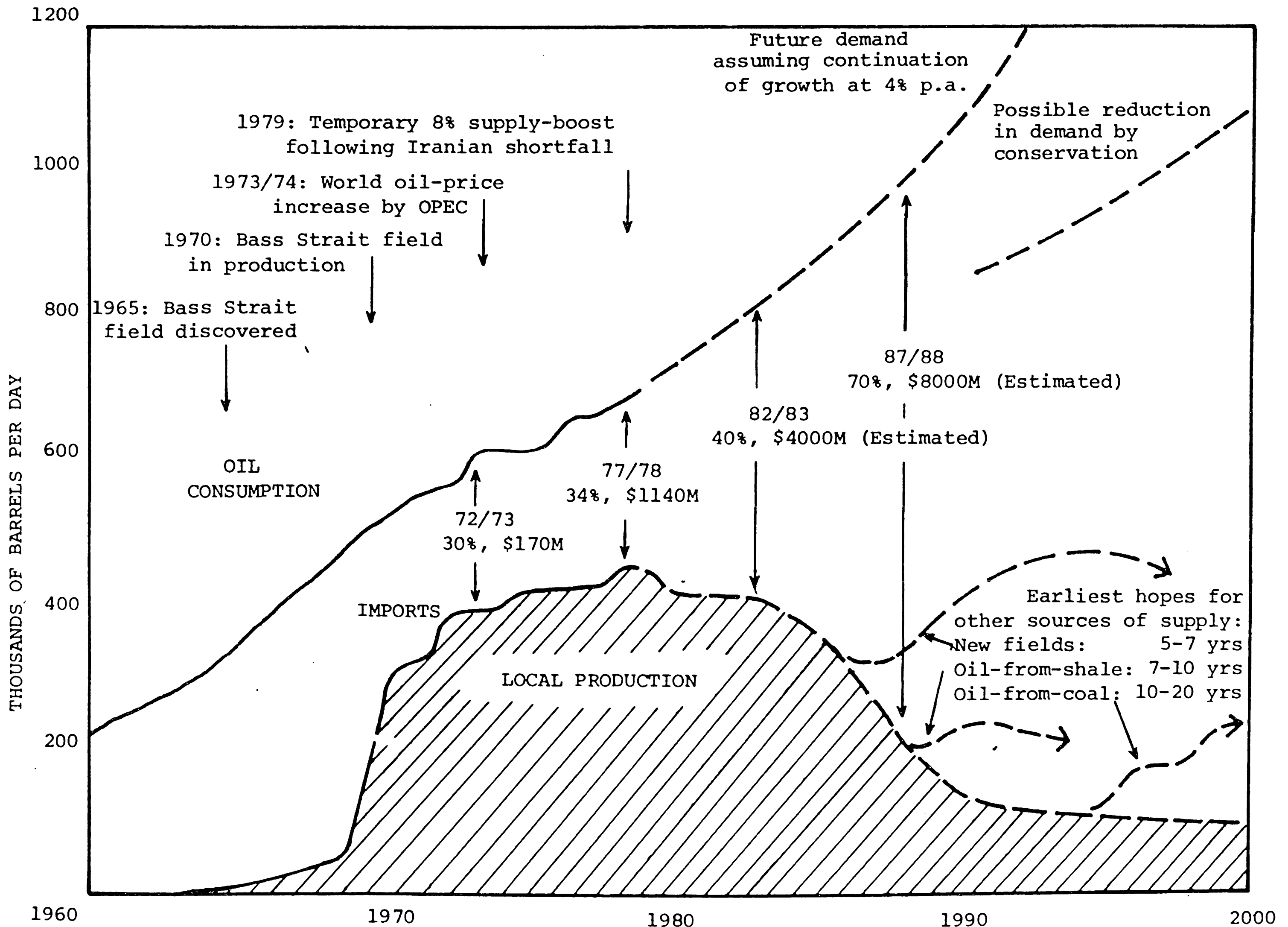
FIGURE 1



25 Within the transportation sector, it is estimated that road transport (cars, motor cycles, buses, trucks, etc.) accounts for approximately 81% of the consumption. Therefore, road transport uses approximately 43% of Australia's total petroleum, (i.e. 53% of 81% = 43%).

6 The Committee also emphasised in paragraph 26 of the same Report that the next decade will be a critical one for Australia, with the gap between oil demand and local supply continuing to widen and the price of oil increasing. (Figure 2).

These trends carry the threat of balance-of-payment problems and a growing economic, political and defence vulnerability for the nation. Also to be anticipated are social disruptions due to rising prices and more pressing fuel shortages.



AUSTRALIAN OIL SUPPLY AND DEMAND - THE CRITICAL DECADE, 1980-1990.

SOURCE: DATA TO 1979 FROM AUSTRALIAN INSTITUTE OF PETROLEUM AND FORECASTS BY DR. D. R. WARREN

## Alternative Fuel Possibilities

7 At present in Australia the only alternative fuel immediately available is liquefied petroleum gas. However, even if all the liquefied petroleum gas produced in Australia were used as a transport fuel, there would not be sufficient to satisfy more than a small fraction (10-14%) of transport fuel requirements. Other possible alternatives (oil-from-shale, oil-from-coal, alcohols) do not offer easy solutions for the next decade because of high cost and the long industrial lead-time required to bring them into production on the required scale.

Therefore the only remaining solution is to minimise fuel consumption. This is not only inevitable, but it is also economically desirable since it is far cheaper to conserve fuel than to develop any of the known alternatives.

## Fuel Conservation Possibilities

8 Two means whereby it is possible to achieve conservation in the use of fuel for road transport are:

- (i) Enforced restrictions on freedom of use (i.e. fuel rationing), and
- (ii) The use of the price mechanism (i.e. by increasing the price of fuel with or without compensatory price reductions in other areas).

## Fuel Rationing

9 From time to time the concept of fuel rationing is raised. However, the Committee is convinced that fuel rationing, whilst effective, is a most undesirable solution. No fair and universally acceptable principle for rationing can be nominated without involving some inequitable sharing of the burden by one section of society while leaving others unaffected. For instance, do the owners of large 6-cylinder or V8 cars receive more fuel than those who drive 4-cylinder cars because they need more, or should they be penalised for using fuel less efficiently? Also, does a household with three cars receive three times the amount of fuel granted to a household with one car? If so, the affluent who can afford to buy "spare" cars have an unfair advantage. The problems are insurmountable, and there is no fully equitable means of overcoming them. Moreover, past experience has shown that any form of rationing can be conducive to civil strife, violence and racketeering. Events in California recently, and in Australia during World War II, demonstrate that this can occur.

## Cost Restructuring

10 The Committee therefore believes that the far more equitable and less arbitrary manner of conserving fuel is to transfer fixed costs into direct operating expenses so that motorists are encouraged to curtail wasteful and unnecessary motoring, or adopt other fuel-saving strategies. These could include car pooling, more careful driving, purchase of smaller cars, greater use of public transport, etc.

11 The general objections to the use of cost restructuring is that the apparent price increases are publicly unpalatable and that they appear to be inflationary. However, both these objections would be negated if the total increases in fuel price were returned to the community by a reduction of the current fixed charges.

It was on these grounds that the Committee thoroughly considered the concept of restructuring road, vehicle and fuel taxation in a way which would encourage conservation but be non-inflationary.

## Perceived and Actual Motoring Costs

12 Surveys have shown that, in general, motorists only perceive their cost of motoring as the cost to fill their fuel tanks. They tend to ignore the annual charges of registration and third party insurance, etc., as these charges are fixed, and remain the same regardless of the amount of kilometres travelled.

The combination of high fixed charges and relatively low fuel costs provides the motorist with an incentive to use the car once he has bought it. For example, when deciding whether to use the car or to use public transport, the cost of a ticket is compared with the cost of the extra fuel which would have to be bought. The cost differential is often only marginal, and therefore the motorist will opt for the car with its greater convenience. Having paid the annual charges, any additional extra cost will be small, as long as fuel remains at about its present price.

13 Thus any standing charges on a vehicle are an incentive to use fuel, that being the only way the cost of the standing charges can be justified. Alternatively, it can be said that such fixed or annual charges are a tax on ownership of a vehicle not on the use of the vehicle, which is the factor relevant to the fuel supply problem.

14 The Committee considers that the taxation philosophy now in operation is an inheritance from the era of cheap oil, when car ownership was indicative of wealth, and oil consumption rates were of no social significance. In the light of our present oil

problem the Committee considers that the concept is now totally inappropriate.

15 At a time when oil is perceived to be a limited resource, motoring costs and taxes are better related to vehicle usage (i.e. fuel consumption) rather than vehicle ownership. In this context the concept of "let the user pay" together with the general accounting dictum "that costs be borne where they fall" appear to offer the most appropriate basis for a new policy.

#### Which Costs Relate Directly to Ownership?

16 Within Victoria, the following are the major Government-sponsored charges connected with the ownership of motor vehicles (i.e. these charges must be paid irrespective of the amount of fuel subsequently used):

TABLE 1 (2)

<u>Repetitive (Annual) Charges:</u>	<u>1978/79</u>	
	(\$M)	(\$M)
Motor vehicle registration fees	123.5	
Motor vehicle registration surcharge	4.6	128.1
Compulsory third party insurance premium	189.2	
Compulsory third party insurance surcharge	7.9	197.1
		<u>325.2</u>

There are, of course, many other non-repetitive charges associated with vehicle and trailer ownership, and also in obtaining a driver's licence. The principal charges here would be stamp duty, drivers' licence fees and surcharges.

In this Report the Committee have not included any of these charges in its calculations. It believes, however, that if the Government accepts in principle the introduction of a fuel tax in lieu of registration and third party insurance premiums, all charges associated with vehicle ownership and drivers' licences should be examined for their possible replacement with a fuel tax.

#### Estimation of Equivalent Fuel Tax Rates

17 To calculate an equivalent cents/litre fuel tax to replace any or all of these fixed charges, it is necessary to know the amount of fuel consumed in Victoria each financial year.

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(2) The figures in this Table, and throughout this Report, were supplied by the Country Roads Board.

Based on the 1975/76 Australian Bureau of Statistics "Survey of Motor Vehicle Usage", it is estimated that in Victoria in 1978/79, 4 620 million litres of petroleum fuel were consumed.

18 The amount of fuel tax required to replace any of the listed standing charges is thus calculated by dividing the annual revenue by 4 620 million.

Thus vehicle registrations (+ surcharge) amounting to \$128.1M could be replaced by a fuel tax of 2.77 cents/litre.

Third party insurance (+ surcharge) amounting to \$197.1M could be replaced by a fuel tax of 4.27 cents/litre.

The total fuel tax would therefore be 7.04 cents/litre. The Committee believes rounding off to 7 cents/litre is appropriate.

19 The Committee realises that if this fuel tax was implemented a small nominal fee to cover annual registration costs would still be necessary. The Committee believes that such a fee must not be seen as an extra revenue-raising device but instead must only cover essential costs such as postage and clerical expenses.

20 It is of interest to note the annual travel which, by the conversion of standing charges into fuel tax, would result in a saving for the motorist. This "break-even" distance would be dependent on the fuel-economy of the vehicle and the registration and other fees now being paid.

To demonstrate this point the Committee chose the following data as typical:

<i>Size of Car</i>	<i>Examples</i>	<i>Average<sup>(2)</sup> Fuel Consumption (litres/100 km)</i>	<i>Present<sup>(2)</sup> Average Annual Distance Driven (km)</i>	<i>Present Annual Charges (Registration and Insurance) (Approximate)</i>	<i>Break-even Distance below which Fuel Tax of 7 cents/litre would be less than present annual charges. (km)</i>
<i>Small</i>	<i>Toyota ) Corolla ) Datsun ) 120Y ) Mazda 323 )</i>	<i>8.3</i>	<i>13,000 km.</i>	<i>\$149</i>	<i>25,650 km.</i>
<i>Medium</i>	<i>Ford ) Falcon 500 ) Holden ) Kingswood ) SL )</i>	<i>15</i>	<i>18,900 km.</i>	<i>\$179</i>	<i>17,050 km.</i>



Thus it is seen that drivers of small fuel-efficient vehicles, when used over distances well above the average, will make a considerable saving. On the other hand, drivers of larger capacity vehicles would only do so by restricting the distance travelled or by achieving better fuel economy through more careful driving techniques.

## EFFECTS OF PROPOSED COST RESTRUCTURING

### Effect on Revenue Collection

21 The amount of revenue collected would, by definition of the scheme, remain the same, although it might need periodic "fine-tuning" to accommodate future changes in the rate of fuel consumption. In obviating the collection of these annual fees, the cost of revenue collection should be reduced.

### Effect on Fuel Demand

22 Because of the effects of higher fuel prices and lower standing charges on motoring costs the following effects on fuel demand could be expected:

- (i) An immediate reaction due to the perceived higher cost of the fuel.
- (ii) A more slowly developing effect due to the disappearance of the established conditioning of motorists to use fuel as the only means of justifying high standing charges.
- (iii) A greater motivation towards adoption of all other fuel-saving proposals, e.g.:

- Car pooling,
- More efficient driving methods,
- Regular engine tuning,
- Production of smaller, more-efficient vehicles,
- Avoidance of unnecessary trips, &c.,

since any fuel saved would now be worth much more than previously.

23 The actual magnitude of these savings can be calculated from an estimate of the price elasticity of fuel consumption, which is defined as the percentage change in fuel demand resulting from a change of one percent in fuel price.

24 The attention of the Committee was drawn to studies conducted overseas and in Australia on the price elasticity of fuel. These varied over the general range, 0.1 to 0.4, depending on the reason for travel (essential/non-essential) and whether they measured the immediate response to a price rise (low values) or the effect after sufficient time for motorists to respond with changes in their travel habits, type of vehicle, etc.

25 For example, a study made in inner London produced the following range of price elasticities:

<i>Work trips</i>	-	0.1
<i>Recreation trips</i>	-	0.2
<i>Morning peak trips</i>	-	0.04
<i>Week-end trips</i>	-	0.35

26 If we accept (pending more exact study of Australian conditions) an average value of 0.1 as an immediate response developing to 0.2 as motorists adjust their habits, we can estimate the effect of the nominated tax-restructuring in Australia as follows:

<i>Average present price of fuel</i>	:	32 ¢/litre
<i>Nominated increase in fuel tax</i>	:	7 ¢/litre
<i>Rise in perceived fuel cost</i>	:	$7 \div 32 = 21.8\%$
<i>Immediate decrease in fuel usage</i>	:	$21.8 \times 0.1 = 2.18\%$
<i>Ultimate decrease in fuel usage</i>	:	$21.8 \times 0.2 = 4.36\%$

### Effect on Vehicle Type

27 Rising fuel prices over the last seven years have already been a major factor in encouraging the use of smaller and more efficient vehicles. The proposed restructuring of tax can only reinforce this desirable trend.

### Effect on Vehicle Numbers

28 It has been argued to the Committee that removal of standing charges will lower the cost of car ownership and hence increase the number of vehicles used in the community.

The Committee considered this point but felt that it does not necessarily mean that there will be an increase in fuel consumption. A one-car household moving up to two cars will normally prefer at least one of those cars to be a small one. With high fuel costs the smaller one will be used where possible, the larger one only where necessary, thus saving fuel.

## Effect on Public Transport

29 As mentioned in paragraph 12, the fact that because the perceived cost differential between public transport and use of a car is only marginal, it actually encourages car travel. With the implementation of cost restructuring the perceived cost differential will move in favour of public transport and will encourage its use wherever possible.

30 The increased use of public transport will not only apply to commuter travel but also to the carrying of freight. It must be remembered that the cost restructuring is applied to all vehicles, so the carrying of freight by rail, especially over long distances, will become more financially attractive.

## Effect on Car Manufacturing Industry

31 The enhanced importance of fuel economy due to the higher fuel price will produce greater pressure by the public for fuel efficiency as a requirement in the vehicles they purchase. This would provide manufacturers with a market stimulus to the production of such vehicles which could be more effective than the present rather loose agreement to aim at an industry-nominated target for average fuel consumption.

## OBJECTIONS TO COST RESTRUCTURING

### Response by the Public

32 The Committee expects that the initial response by the public will be one of suspicion that the proposal is another veiled form of taxation. This would call for public education through the media to show that the overall principle is non-inflationary and that, with changes in their driving attitudes or choice of vehicles, motorists can personally profit by it.

33 A most common fear already frequently encountered is that "the Government will use the occasion to add more tax than it gives back". The opinion is often expressed that "the motorist always suffers". In support of this view, recent action by the Commonwealth Government in increasing oil levies without compensation to fuel users, and by the Victorian Government in replacing road maintenance charges by a greater-than-necessary fuel tax, are quoted as examples.

Public enthusiasm for cost restructuring will only be achieved if it is clearly seen that the Government is returning all of the tax to the user in the form of standing-charge removal.

"Fuel is Already Too Expensive"

34 This attitude is also one for education of the public through the media, emphasising that even with the proposed cost restructuring Australian fuel prices would still be lower than in almost any other country.

Complaints from High-Mileage and Subsidised Users

35 Allegations of pensalisation may be expected from pensioners, farmers, country dwellers, taxi fleets, hauliers, etc. These will require individual consideration and, if necessary, compensatory action.

36 The principles of such consideration however should be:

- (i) No group in the community can demand or expect complete immunity from the unpleasant effects of oil price increases - each can only expect that the share of the total burden which they are asked to bear is fair in relation to the rest of the community.
- (ii) Compensation should not be given by cost concessions on fuel itself which would negate the desired motivation to conserve it.

IMPLEMENTATION OF COST RESTRUCTURING

37 In theory, cost restructuring could be achieved internally within the State by the same principles as recently were applied to road maintenance charges. However, the scale of fuel taxation involved here would be great enough to produce unacceptable differences across State borders and would call for co-ordination of policies between the States.

Alternatively, it could be achieved by agreement on tax collection and redistribution between the States the the Commonwealth Government.

38 The Committee therefore believes that a public statement by the Government of Victoria as to its acceptance in principle of the value of restructuring the cost of motoring would in itself provide an immediate thrust towards fuel conservation in the community.

Such general acceptance would stimulate action in other States and would facilitate discussion of the best mechanism for early implementation.

39 While the merits of cost-restructuring have been previously presented and discussed in various States, it would be most appropriate for Victoria, as custodian of the greater part of Australia's known oil reserves, to be the driving force in finally transforming the widely-discussed proposal into a nationally beneficial reality.

### Conclusion and Recommendations

40 The Committee believes that restructuring the existing transport taxation system to remove standing charges on vehicles and replace these charges with an equivalent fuel tax is the most important action which could be immediately taken by the Government to assist fuel conservation in this country.

41 The Committee believes such a move would:

- (i) be non-inflationary in the long term;
- (ii) produce an immediate reduction in fuel consumption;
- (iii) remove the encouragement produced by the present system to amortise high standing costs by the use of more fuel; and
- (iv) be an essential first step to motivate the community towards all the other proposed fuel-saving options (car pooling, smaller cars, etc.) by "making fuel worth saving".

42 The Committee recommends that the Victorian Government immediately announce its support for the concept in principle and begin immediate negotiations with the other State Governments, and with the Commonwealth Government, to find the most satisfactory and cost-beneficial mechanism for its implementation.

Committee Room,  
18 March 1980.

EXTRACTS FROM THE PROCEEDINGS

The Minutes of the Proceedings of the Committee show Divisions which took place during the consideration of the Draft Report. A summary of those proceedings follows:

TUESDAY, 18 MARCH 1980

The Committee divided on the respective questions -

- (i) That paragraphs 3, 9, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28 and 42, stand part of the Report.
- (ii) That paragraphs 7, 10, 11, 21, 29, 30, 31, 32, 35, 37, 38 and 39, as amended, stand part of the Report.
- (iii) That the title of the Report be "Restructuring of Motoring Costs".
- (iv) That the draft report be the Report of the Committee.

In each case, the result of the Division was:

Ayes, 5

Noes, 1

The Hon. V. T. Hauser  
Mr. McClure  
Mr. Tanner  
The Hon. J. A. Taylor  
Mr. Trezise

Mr. Hann

Severally resolved in the affirmative.

\* \* \*

The Committee divided on the respective questions, That paragraphs 8, 40 and 41 stand part of the Report.

In each case, the result of the Division was:

Ayes, 4	Noes, 1
The Hon. V. T. Hauser	Mr. Hann
Mr. McClure	
Mr. Tanner	
Mr. Trezise	

Severally resolved in the affirmative.

\* \* \*

The Committee divided on the question, That paragraph 33, as amended, stand part of the Report.

The result of the Division was:

Ayes, 4	Noes, 2
The Hon. V. T. Hauser	Mr. Hann
Mr. McClure	Mr. Tanner
The Hon. J. A. Taylor	
Mr. Trezise	

And so it was resolved in the affirmative.

\* \* \*

The Committee divided on the respective questions, That paragraphs 34 and 36, as amended, stand part of the Report.

In each case, the result of the Division was:

Ayes, 4	Noes, 2
The Hon. V. T. Hauser	Mr. Hann
Mr. McClure	The Hon. J. A. Taylor
Mr. Tanner	
Mr. Trezise	

Severally resolved in the affirmative.

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CONSERVATION OF ENERGY RESOURCES COMMITTEE

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FIFTH PROGRESS REPORT

TRAFFIC MANAGEMENT

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*Ordered to be printed*

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EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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TUESDAY 29 MAY 1979

7. CONSERVATION OF ENERGY RESOURCES COMMITTEE - The Honorable A. J. Hunt moved, by leave, That the Honorables V. T. Hauser, J. A. Taylor and I. B. Trayling be members of the Conservation of Energy Resources Committee.

Question - put and resolved in the affirmative.

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EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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TUESDAY 29 MAY 1979

28. CONSERVATION OF ENERGY RESOURCES COMMITTEE - Motion made, by leave, and question - That Mr. Amos, Mr. Hann, Mr. McClure, Mr. Tanner and Mr. Trezise be members of the Conservation of Energy Resources Committee (*Mr. Hamer*) - put and agreed to.

TERMS OF REFERENCE

JOINT SELECT COMMITTEE (CONSERVATION OF ENERGY RESOURCES) ACT 1976

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SECTION 3

3. The functions of the Committee are -

- (a) to inquire into and make recommendations on the extent to which energy resources in Victoria should be conserved, whether generally or in relation to particular resources;
- (b) to inquire into and report on ways and means of implementing those recommendations and in particular in relation to recommendations for the beneficial use of energy resources, to inquire into and report on what variations are necessary or desirable in -
  - (i) building designs, techniques and standards;
  - (ii) the use of insulation in buildings;
  - (iii) vehicle and engine design;
  - (iv) transport systems;
  - (v) industrial and manufacturing processes, methods, standards and plant;
  - (vi) methods of promotion of the use of energy;
  - (vii) other significant uses of energy;
- (c) to inquire into and report on the costs of and benefits to be gained from implementing those recommendations; and
- (d) to recommend what additional measures and programs should be taken to encourage a responsible use of those resources.

SUMMARY OF RECOMMENDATIONS

Setting Priorities on Land-use Planning

Para. 9.2.9      *The Committee recommends that:*

- (i) *All future growth should be channelled into areas which are well served with transport facilities, or where these facilities could be easily expanded;*
- (ii) *The development of satellite towns should be discouraged because they are generators of long distance travel; and*
- (iii) *The design of new subdivisions should incorporate a fully-integrated bus or public transport network.*

Car Pooling

Para. 9.3.5      *The Committee completely supports the concept of car pooling and recommends that:*

- (i) *A thorough study be undertaken by the Government to ascertain what car pooling inducements are applicable to Melbourne (in addition to the recent legalising of cost-sharing);*
- (ii) *The Government promote a media campaign explaining the financial benefits of car pooling; and*
- (iii) *The Government, in conjunction with industry, promote car pooling programs at places of employment.*

Driver Education

Para. 9.4.4      *The Committee is convinced of the practical benefits and immediate fuel savings that can result from improved driving habits, and recommends that:*

- (i) *The Government promotes a campaign both through the media and schools, emphasising the relationship between good driving habits and fuel conservation;*

- (ii) An explanatory pamphlet on fuel conservation and driving habits be included with licence renewal and vehicle registration papers;
- (iii) The Government promotes the installation of fuel economy meters in cars; and
- (iv) A compulsory series of questions on the relationship between fuel conservation and driving habits be included in the testing procedure for drivers' licences.

### Improving the Reliability and Efficiency of Public Transport

Para. 10.1.8 The Committee believes that improving the efficiency and reliability of our public transport system is essential not only to maintain existing patronage, but also to attract new patronage, however marginal.

The Committee therefore recommends that:

- (i) Sufficient Government funding be guaranteed for the fleet expansion and modernisation of the Victorian Railways and the Melbourne and Metropolitan Tramways Board;
- (ii) Commencing immediately, funds be progressively made available to the Victorian Railways to complete all necessary duplication/triplication of suburban lines; and
- (iii) That funds be immediately made available to the M.M.T.B. to construct the tramline extension to Bundoora and to install an Automatic Vehicle Monitoring System.

### Providing Parking Facilities at Public Transport Stops

Para. 10.2.2 The Committee recommends that the provision of parking facilities be expanded wherever possible, and also provision be made for weatherproof and secure bicycle parking.

## Providing Priority Routes or Reserved Routes for Public Transport

Para. 10.5.8        *The Committee recommends that priority lanes be implemented only after a thorough examination of each particular route indicates there will be no detrimental effect to private vehicle flow. The Committee further recommends that the use of these priority lanes be made available to multi-occupancy vehicles, taxis and motor cycles.*

## Providing Modal Interchange Facilities

Para. 10.6.2        *The Committee recommends that the modal interchange facilities currently planned for Box Hill and Frankston be constructed without delay and, further, that the development of these facilities at other suitable locations be examined along with integrated timetables.*

## Co-ordinating Traffic Signals

Para. 11.1.8        *The Committee recommends that as an important fuel conservation practice, traffic signals in the Melbourne Metropolitan area should be co-ordinated as soon as possible. The Committee also recommends that a closed circuit television monitoring system be installed concurrently.*

## One Authority to Control all Traffic Lights and Signals

Para. 11.2.10       *The Committee recommends that all traffic signals in Victoria be placed under the control of the Country Roads Board. The Committee believes the Board has the engineering and technical expertise as well as sufficient Statewide resources to control all traffic signals. The Committee further recommends that legislation be introduced into Parliament immediately to achieve this single control.*

## Extending Present "Clearway" System, especially on Roads used by Trams and Buses

Para. 11.3.3        *The Committee recommends that clearways be extended where possible.*

## Speed Limits

Para. 11.6.6        *The Committee recommends that there be no reduction in the speed limits on Victorian roads, as it would be difficult to enforce, and any fuel saving overall would be minimal.*

## Extending the Freeway System

Para. 12.4.7        *The Committee recommends that for fuel conservation benefits the following freeway links be constructed:*

- (i) F14 Freeway;
- (ii) Punt Road widening; and
- (iii) Joining the South-Eastern and Mulgrave Freeways.



R E P O R T

The Conservation of Energy Resources Committee, appointed pursuant to the provisions of the Joint Select Committee (Conservation of Energy Resources) Act 1976 (No. 8851), has the honor to report as follows:

1 In November 1978 the previous Committee initiated an Inquiry into traffic management after receiving evidence that this was an area where potential existed for energy conservation.

2 Guidelines listing the aims and procedures for this Inquiry were formulated and circulated and this Committee commenced taking evidence in July 1979.

3 Appended to this Report are:

- (i) A list of persons or organisations to whom a copy of the Guidelines was sent (Appendix A);
- (ii) A list of submissions received following the circulation of those Guidelines<sup>(1)</sup> (Appendix B);
- (iii) A list of witnesses and inspections undertaken by the Committee, (Appendix C); and
- (iv) Minutes of Evidence<sup>(1)</sup>.

Traffic Management and Energy Conservation

4 In its last two Reports<sup>(2)</sup> the Committee stated that the most crucial energy problem facing Australia will be in supplying sufficient fuel for transport. The Committee reiterates this view most strongly, and in the belief that a significant measure of fuel conservation would be possible through improved traffic management techniques, has undertaken this Inquiry.

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(1) Submissions and Minutes of Evidence not printed.

(2) Pricing of Liquefied Petroleum Gas, its Relevant Use and Safety Aspects. Parliamentary Paper D-No. 6/1979.

Restructuring of Motoring Costs.  
Parliamentary Paper D-No. 11/1979-80.



5 An appreciation of the amount of travel and fuel consumed in Victoria is obtained by reference to the following. Based on the 1975-76 Australian Bureau of Statistics "Survey of Motor Vehicle Usage" and data from several Australian Road Surveys conducted by the National Association of Australian State Road Authorities, it is estimated that the total travel in Victoria in 1977-78 amounted to 30 200 million vehicle kilometres (MVK) and that the petroleum fuel consumed on roads was 4 300 million litres<sup>(3)</sup>.

Travel is estimated to have occurred as shown in Tables 1 and 2 below:

Table 1 - Travel on Roads in Victoria 1977/78  
by Vehicle Type and Area

Vehicle Type	Melbourne Urban Area	Urban Geelong Ball. & Bend.	Rural Victoria	Total
Cars, S/Wag. Utes, Panel Vans, Motor Cycles	16 260 MVK	2 880 MVK	8 800 MVK	27 940 MVK
Rig. & Artic. Trucks, Other truck types, Buses.	1 000 MVK	160 MVK	1 100 MVK	2 260 MVK
Totals	(57.15%) 17 260 MVK	(10.07%) 3 040 MVK	(32.78%) 9 900 MVK	(100%) 30 200 MVK

Table 2 - Travel on Roads in Victoria 1977/78  
by Road Type and Area

Road Type	Melbourne Urban Area	Urban Geelong Ball. & Bend.	Rural Victoria	Total
Arterial	12 950 MVK	2 280 MVK	6 930 MVK	22 160 MVK
All Other	4 310 MVK	760 MVK	2 970 MVK	8 040 MVK
Totals	(57.15%) 17 260 MVK	(10.07%) 3 040 MVK	(32.78%) 9 900 MVK	(100%) 30 200 MVK

(3) Figures supplied by the Country Roads Board.

.../3.

This travel is estimated to have resulted in a distribution of fuel consumed as shown in Tables 3 and 4 below:

Table 3 - Fuel used on Victorian Roads 1977/78  
by Vehicle Type and Area  
(million litres)

Vehicle Type	Melbourne Urban Area	Urban Geelong Ball. & Bend.	Rural Victoria	Total
Cars, S/Wag. Utes, Panel Vans, Motor Cycles.	2 065	365	1 125	3 555
Rig. & Artic. Trucks, Other truck types, Buses.	295	50	400	745
Totals	(54.88%) 2 360	(9.65%) 415	(35.47%) 1 525	(100%) 4 300

Table 4 - Fuel used on Victorian Roads 1977/78  
by Road Type and Area  
(million litres)

Road Type	Melbourne Urban Area	Urban Geelong Ball. & Bend.	Rural Victoria	Total
Arterial	1 770	310	1 070	3 150
All Other	590	105	455	1 150
Totals	(54.88%) 2 360	(9.65%) 415	(35.47%) 1 525	(100%) 4 300

6 The Committee believes these Tables confirm that the magnitude of both vehicle use and the related fuel usage is such that it is essential means are examined whereby either fuel consumption levels can be reduced or the annual growth rates minimised. It is also apparent that most of the fuel consumption occurs within urban areas where there are many fuel costly delays due to traffic lights, intersections, overcrowding of roads, etc. Therefore, throughout the Inquiry the Committee primarily concerned itself with traffic management techniques and policies applicable to urban areas where there exists the potential for greatest improvement. The wisdom of this decision was reinforced by evidence from the Country Roads Board who estimate that in the next twenty years vehicle travel on Melbourne's road network will increase by 40% even if the price of fuel in real terms triples.

7 The Guidelines formulated by the Committee for the Inquiry are as follows:

Aims: To conserve petroleum resources through -

- (a) reduced community dependence on private motor vehicle travel;
- (b) increased patronage of public transport;
- (c) improved traffic flow; and
- (d) reduced motor traffic to the Central Business District, city environs and other urban centres.

Procedure:

- (a) reduce community dependence on private motor travel by -
  - (i) removing fixed cost (registration and third party insurance) of motoring and increasing the price of fuel;
  - (ii) setting priorities on land-use planning.
- (b) increase patronage of public transport by -
  - (i) improving reliability and efficiency of services;
  - (ii) providing parking facilities at all public transport stops;
  - (iii) simplifying fare structures;
  - (iv) seeking to have fares to work on public transport allowed as a tax deduction or rebate;

- (v) providing priority routes or reserved routes for public transport;
  - (vi) providing modal transport interchange centres;
  - (vii) establishing an overall transport planning authority.
- (c) improve traffic flow by -
- (i) synchronised traffic lights, possibly computerised in the Central Business District and main arterial roads;
  - (ii) one authority (RoSTA) to control ALL traffic lights and signalling;
  - (iii) extending present "clearway" systems, especially on roads used by trams and buses;
  - (iv) buses being permitted to use tramline routes;
  - (v) separating tramlines from vehicular traffic lanes, especially in the Central Business District and on main arterial routes.
- (d) reduce motor traffic to the Central Business District, city environs and other urban centres by -
- (i) improving the standard and reliability of public transport;
  - (ii) providing free transport from "regional" car parks on the perimeter of the Central Business District;
  - (iii) increasing parking fees;
  - (iv) reducing parking facilities within the Central Business District, city environs and other urban centres.

8 The Committee therefore examined each point in turn and makes recommendations accordingly. Additional items not listed in the Guidelines, but which were suggested to the Committee during the Inquiry, were also examined.

9 REDUCING COMMUNITY DEPENDENCE ON PRIVATE MOTOR VEHICLE TRAVEL

9.1 Removing the Fixed Costs (registration and third party insurance) and replacing these with a corresponding increase in the Price of Fuel

9.1.1 The Committee has already tabled a Report in Parliament on this subject<sup>(4)</sup> recommending that the Government accept, in principle, the concept of replacing registration and third party insurance charges with a fuel tax.

9.2 Setting Priorities on Land-use Planning

9.2.1 The growth of the Melbourne Metropolitan area (especially since World War II) has been characterised by a low density urban sprawl. Together with the expansion of these urban areas and a rapid growth in the use of motor vehicles, little pressure was placed on land developers and the various Government and Local Government authorities to provide public transport.

9.2.2 The Committee contends that the pattern for urban development into the next generation, at least, is already established. Therefore, land-use planning has little to offer in the short term for energy conservation. It is in long term land-use planning where the Committee believes there exists potential for energy conservation.

9.2.3 From evidence received, it appears that the basic principle for future urban development will be the integration of work, shopping and housing facilities. As well, future growth should be channelled into areas which are well served with public transport facilities or where these facilities could be easily provided. In particular, heavy traffic generators such as industrial areas and regional shopping complexes should be located near railways, since rail is well suited to serving concentrated travel demands, and can be supported by feeder services such as buses and trams.

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(4) Restructuring of Motoring Costs.  
Parliamentary Paper D-No. 11/1979-80.

It was also suggested to the Committee that a means to achieve development along these lines would be to structure the Metropolitan area into multi-centred regional cities, rather than one city with a single Central Business District and scattered development elsewhere. If these regional cities are located on public transport corridors, travel between them will be easier and faster.

The Committee also received evidence suggesting that satellite town developments should be discouraged because, unless they are completely self-supporting, they will still rely on external facilities which are normally available in the larger cities. This reliance will therefore generate travel and this travel to a large extent must be by private car because of insufficient public transport.

9.2.4 After examination of all the evidence received, the Committee believes that the extent to which energy conservation will be possible through long-term land-use planning is related to the following three variables:

- (i) the scale of existing development;
- (ii) the potential for redevelopment; and
- (iii) the extent of future growth.

9.2.5 With regard to point (i), the Committee is of the opinion that the present development of land still relies heavily on the mobility of the private motorist. As there is little that can be done to arrest this immediate development, the Committee believes one of the few solutions immediately available is the provision of adequate public transport.

An appreciation of how this problem can be minimised was demonstrated in the development of the Taylors Lakes Estate. An initial bus route was planned which was 21 kilometres long, and enabled 95% of the proposed community to be within 5 minutes' walking distance of public transport. The Transport Regulation Board then employed a firm of consultant civil engineers to develop an integrated bus network. As a result of this study, the length of this bus route was reduced to 11 kilometres, and the route was still within five minutes' walking distance for 87% of the proposed community. Proper bus network planning in new development areas would therefore appear to be essential, and it could be expected that this increased accessibility to public transport would reduce the dependence on the motor car.

A review of all existing bus networks and operations is also recommended.

9.2.6 With reference to point (ii), the Committee believes the potential for redevelopment in Melbourne is limited. The financial investment would appear to be prohibitive, and short of a natural disaster, large-scale redevelopment is unlikely. As well, it is anticipated that the community would be opposed to such redevelopment in residential areas. Also, evidence suggests that making a city more compact does not necessarily cause a reduction in fuel consumption.

Research<sup>(5)</sup> carried out in cities in the U.S.A., Britain and developing countries, shows that cars travel about the same distance regardless of the size or density of the city.

Research at the C.S.I.R.O., using computer-modelling, has also shown that any fuel savings from cities of greater density are marginal. The research assumed a population in Melbourne of 4 million in the year 2000, and then calculated the effect on energy consumption relating to both a low density city and a compact city. The results indicated that, if the gross density in the inner suburbs was 125 persons per hectare rather than 25 persons per hectare as at present (i.e. a five-fold increase), there would be about a 3% saving in Melbourne's fuel consumption. As already mentioned, however, large-scale redevelopment in Melbourne, especially that aimed at increasing the density of the city, would be unlikely and, considering the marginal amount of fuel involved, it would not be warranted.

9.2.7 The extent of future growth in Melbourne (point (iii)) is, the Committee believes, an area where energy conservation policies on land-use planning could have an effect.

The effect however may not be as great as is sometimes imagined. Evidence received, quoting the National Population Inquiry, estimated that Melbourne's population would be in the range of 2.9 million to 3.2 million by 2001.

The 1976 Census revealed a population in Melbourne of 2.6 million, so therefore the predicted low growth rate between now and 2001 is unlikely to radically alter the pattern of land-use densities in existing developed areas.

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(5) Country Roads Board Supplementary Submission to the Committee. (p.7).

As well, the Committee believes this low growth rate only offers small scope for channelling new development into areas that can be readily serviced by public transport.

9.2.8 Land-use planning as an energy conservation measure would appear to offer limited opportunities in Melbourne. However, the Committee believes there are some steps which can be taken with regard to future development.

9.2.9 The Committee therefore recommends that:

- (i) All future growth should be channelled into areas which are well served with transport facilities, or where these facilities could be easily expanded.
- (ii) The development of satellite towns should be discouraged because they are generators of long distance travel.
- (iii) The design of new subdivisions should incorporate a fully-integrated bus or public transport network.

### 9.3 Car Pooling

9.3.1 The Committee believes car pooling has a potential for significant savings in fuel use. In evidence the Country Roads Board estimated that, if the car occupancy rate in Melbourne increased from the current level of 1.27 persons/vehicle to 1.49 persons/vehicle (which was the level in Melbourne in the mid 1960s), the following would result:

- (i) A reduction in the journey to work energy consumption levels by 15%. (The Country Roads Board estimates that this would save approximately 100 million litres of petrol per annum, or 2% of Victoria's annual consumption).
- (ii) A reduction in journey to work travel time by 35% (suburban areas only).
- (iii) A reduction in journey to work air pollution by 50% (suburban areas only).
- (iv) A reduction in journey to work running costs by 30% (suburban areas only).



9.3.2 Figures from the U.S.A. (6) also support the fuel saving aspect of car pooling. It is estimated that for a 10% shift of driver-only commuters to car pools, there would be a fuel saving of 1½% in the annual fuel consumption on U.S. highways.

9.3.3 However, few Victorians have taken advantage of the benefits of car pooling despite fuel savings and the recent legislation allowing cost-sharing. The Committee understands that this apparent reluctance of Victorian motorists to car pool is because the losses of motoring independence and flexibility are not adequately compensated by the savings with fuel at present prices. Therefore, further inducements are necessary, and the Committee has received evidence which suggests that such inducements should be in two areas:

- (i) reduction in normal travel time; and
- (ii) other economic incentives.

9.3.4 Travel time for high occupancy vehicles can be reduced by reserving exclusive lanes on highways or major roads, and by providing priority parking at work places.

The economic inducements should be in the form of reduced parking fees and bridge tolls, or by increasing the perceived (as opposed to total) cost of motoring, e.g. by tax restructuring as set out in the Committee's Report upon Restructuring of Motoring Costs (7).

9.3.5 The Committee completely supports the concept of car pooling and recommends that:

- (i) A thorough study be undertaken by the Government to ascertain what car pooling inducements are applicable to Melbourne (in addition to the recent legalising of cost-sharing);
- (ii) The Government promote a media campaign explaining the financial benefits of car pooling; and

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(6) Traffic Engineering. Volume 45, No. 2, February 1972.

(7) Parliamentary Paper D-No. 11/1979-80.

- (iii) The Government, in conjunction with industry, promote car pooling programs at places of employment.

#### 9.4 Driver Education

9.4.1 The Committee believes driver education has particular potential for energy conservation.

The Country Roads Board estimates that proficient and careful driving can reduce fuel consumption by approximately 15%.

9.4.2 This figure was substantiated this year in a series of tests conducted by the Energy Authority of New South Wales. This testing, which was part of the National Energy Conservation Program, highlighted the increase in fuel consumption that results from poor driving and maintenance.

9.4.3 The results from these tests are as follows:

<u>TEST RESULTS</u>			
% Increase in Petrol Consumed			
Test	Small Car Gemini	Medium Car Commodore	Large Car Kingswood
Bad habits - foot on brake	40	40	40
Vehicle profile - luggage on roof rack	8	11	6
Poor maintenance	9-36	9-26	9-26
Deflated tyres	3-7	3-7	3-7

9.4.4 The Committee is convinced of the practical benefits and immediate fuel savings that can result from improved driving habits, and recommends that:

- (i) The Government promotes a campaign both through the media and schools, emphasising the relationship between good driving habits and fuel conservation;
- (ii) An explanatory pamphlet on fuel conservation and driving habits be included with licence renewal and vehicle registration papers;
- (iii) The Government promote the installation of fuel economy meters in cars; and
- (iv) A compulsory series of questions on the relationship between fuel conservation and driving habits be included in the testing procedure for drivers' licences.

10

#### INCREASING THE PATRONAGE OF PUBLIC TRANSPORT

This section examines the potential for attracting patronage to public transport at the expense of the private car, and the Committee considers it relevant to briefly discuss the energy efficiency of public transport and its existing network.

The energy efficiency of a passenger vehicle is determined by the rate at which it consumes energy and the number of passengers being carried in the vehicle. This energy efficiency is expressed as the amount of kilojoules of energy required to carry each passenger for one kilometer (kj/passenger km). The more kilojoules required per passenger km, then the less energy-efficient is that mode of transport.

There have been a number of studies conducted to determine the energy efficiencies of the major modes of transport, i.e. rail, bus, tram and car.

The following figures illustrate this:

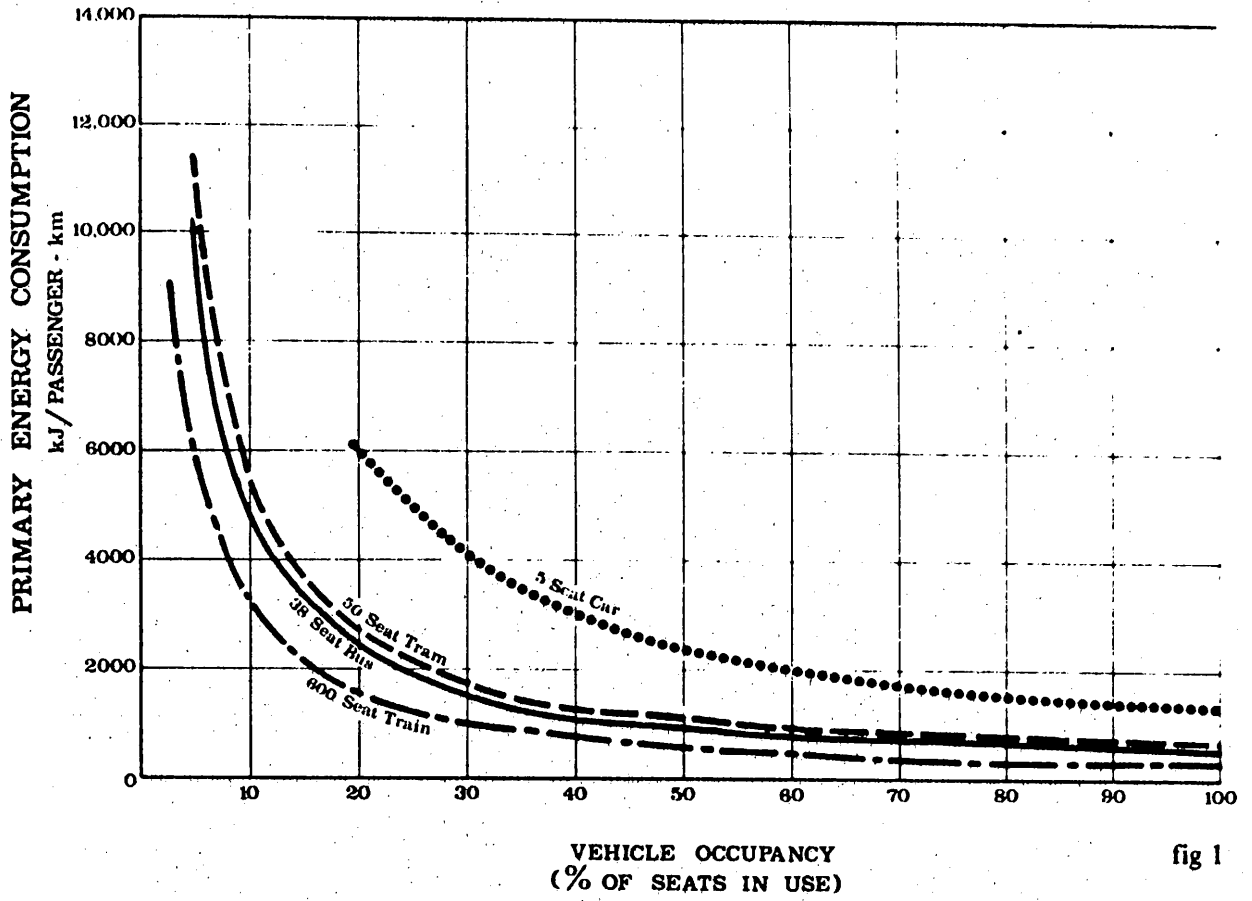


fig 1

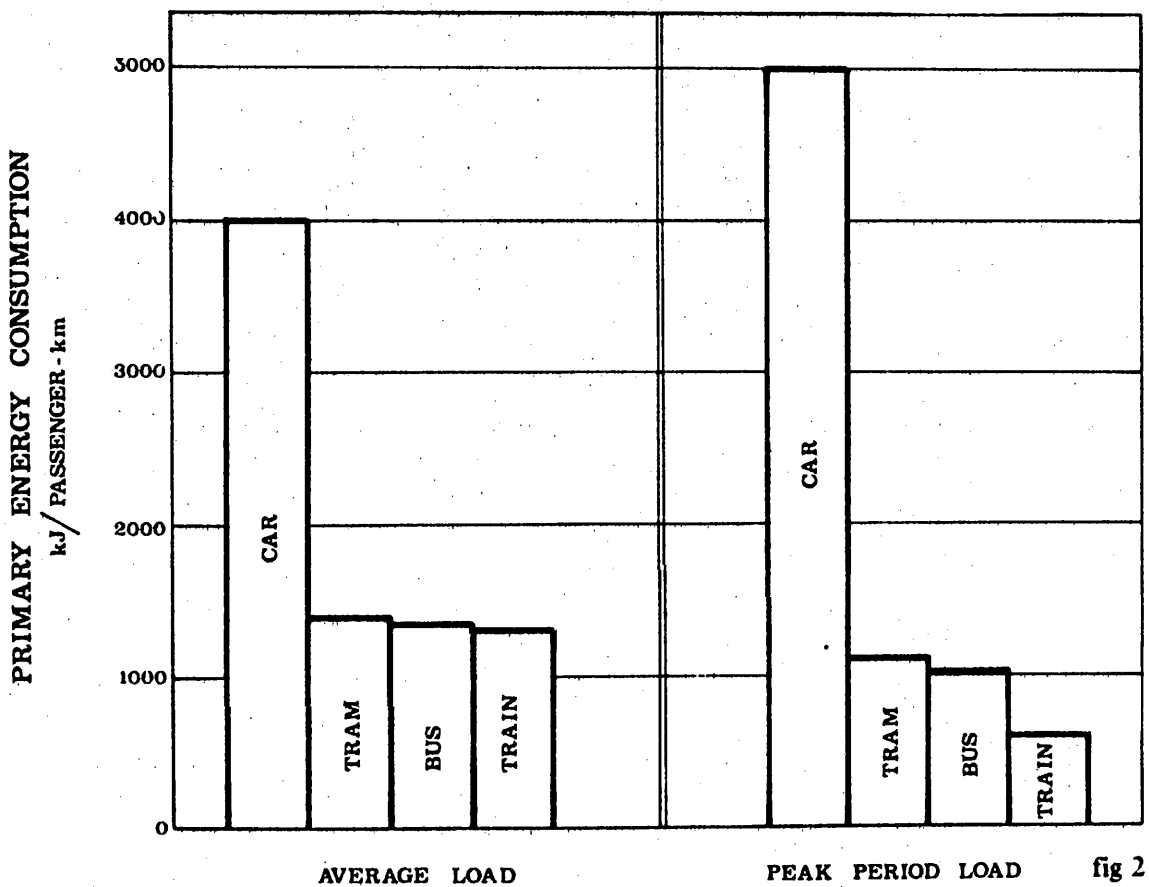


fig 2

The results given in Figures 1 & 2 indicate that public transport is, in general, more energy efficient than the private car for similar occupancy levels. However, at varying occupancy levels this situation can be reversed, e.g. a fully occupied car is more energy-efficient than any tram or bus which is less than about 30% loaded.

In practice, however, at peak hours public transport vehicles are heavily loaded whilst car occupancies are at their lowest, and at these times, trams, trains and buses are generally at least five times more energy-efficient than cars.

It is relevant also to take the source of energy into account. Public transport in Melbourne is not as reliant on petroleum products as the private car because trams and most trains rely on electricity. The State's abundant reserves of brown coal upon which our electricity generation is based provide electric transport modes with a greater advantage over oil-based transport systems. Therefore, even in cases where petrol-driven transport appears more energy-efficient than electric vehicles at present loadings, consideration must be given to our more abundant resource of brown coal.

The public transport network in Melbourne is essentially a radial one. Train and tram lines radiate from the city providing reasonably effective public transport corridors into the Central Business District. This has resulted in approximately 70% of all trips to the Central Business District being made by public transport. What is not so readily available however is high-frequency cross-flow public transport. This is because non-Central Business District travel usually has a wider diversity of trip ends, and there are not the areas of concentrated demand as exists in the Central Business District. Evidence received suggests that only 18% of cross-suburban trips are made on public transport.

The Committee believes there are some means available to increase overall patronage of public transport. Significant increases in patronage however are unlikely to occur in the immediate future because:

- (i) Most travel to the Central Business District (70%) is already by public transport, and therefore any increase would be marginal; and
- (ii) The provision of non-Central Business District (i.e. inter- and intra-suburban) public transport is inadequate, and any improvement would be costly and take considerable time.

## 10.1 Improving the Reliability and Efficiency of Services

10.1.1 The Committee received evidence which suggests that passengers believe factors such as reliability, frequency, modern vehicles and comfort are more important than the level of fares. This was illustrated in a "Before and After Study" of the improvements to the Glen Waverley railway line<sup>(8)</sup>. This study found that "the improvements having the greatest influences on prior and new travellers were improved frequency of services and newer trains".

10.1.2 Realising this, the Victorian Railways Board has embarked on a modernisation program involving the purchase of new trains and improving signalling. As well, with the completion of the underground rail loop, the Railways will be able to increase the maximum suburban network capacity (currently 126 trains) by an estimated 60%. This will result in services offering greater frequency and reduced travelling times. An existing restriction on the Railways, however, is the lack of double and triple tracks which limits the volume of trains, especially express trains. During recent years the Railways have endeavoured to extend the duplication and triplication of lines, but have been severely restricted by lack of funding. The Committee believes that such work is essential and should proceed without delay.

10.1.3 The Melbourne and Metropolitan Tramways Board has also pursued a fleet modernisation program including the purchase of new trams and buses. The tram network was expanded as well with the opening of the Warrigal to Middleborough Road extension along Burwood Highway. According to the Tramways Board, acceptance of this new service has been excellent and it has demonstrated how effectively modern trams can operate in their own right of way. In support of this, a survey indicated that 28% of the passengers using the new extension formerly travelled by car for at least part of the journey now being made by tram.

10.1.4 The Tramways Board has also been investigating the potential for introducing an automatic vehicle monitoring system (AVM) for its fleet of nearly 1000 trams and buses.

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(8) Pak-Poy, P. G. & Associates Pty. Ltd. (1975)  
"Glen Waverley Line Modal Project. Comparison of Findings for Before and After Studies".

Report for Victorian Railways, Development and Planning Division.

This system will perform the following functions:

- (i) Report the location of every vehicle in the fleet to a central control office;
- (ii) Monitor and respond to emergency calls and reports of mechanical failure;
- (iii) Control radio communications between many drivers and a few centralised supervisors;
- (iv) Allow operators to provide information to passengers on vehicles or at stops by visual display or loudspeakers;
- (v) Interface with the system of traffic signal controllers to provide signal priority for public transport vehicles when desired;
- (vi) Measure the number of passengers being carried on each vehicle and report it to the central office or store the information for later use; and
- (vii) Compile, store and report information to allow better management and planning of transit services.

10.1.5 The Committee considers the benefits in improved reliability and efficiency emanating from this system will be significant and the cost justified. The Melbourne and Metropolitan Tramways Board estimates that to install this system would cost \$5 million spread over five years, and the Committee believes this would be a most worthwhile public investment.

10.1.6 The Committee believes the M.M.T.B. is in a good position to develop cross-flow public transport. An example is the proposed tramline extension from Tyler Street, Preston, to McLeans Road, Bundoora. The Act authorising this came into operation on 5 December 1978 and, although the M.M.T.B. could proceed immediately, no funds have been made available. This is disappointing to the Committee as the proposed extension would increase the availability of cross-flow public transport.

10.1.7 Another major component of the metropolitan public transport system is the private bus operators. There are a considerable number of these operators and they maintain an essential service in inter- and intra-suburban travel. These operators receive subsidies as, while many of their services are not economically viable, they are nevertheless necessary for many sections of the community.

10.1.8 In summary then, the Committee believes that improving the efficiency and reliability of our public transport system is essential not only to maintain existing patronage, but also to attract new patronage, however marginal.

The Committee therefore recommends:

- (i) Sufficient Government funding be guaranteed for the fleet expansion and modernisation of the Victorian Railways and the Melbourne and Metropolitan Tramways Board;
- (ii) Commencing immediately, funds be progressively made available to the Victorian Railways to complete all necessary duplication/triplication of suburban lines; and
- (iii) That funds be immediately made available to the M.M.T.B. to construct the tramline extension to Bundoora and to install an Automatic Vehicle Monitoring System.

## 10.2 Providing Parking Facilities at Public Transport Stops

10.2.1 The development of parking facilities has mainly centred on railway stations, and more than 16 000 free car parking spaces are now provided.

The Committee believes this provision helps to attract/maintain patronage and should be expanded.

10.2.2 The Committee therefore recommends that the provision of parking facilities be expanded wherever possible, and also provision be made for weatherproof and secure bicycle parking.



### 10.3 Simplifying Fare Structures

10.3.1 The Committee received conflicting evidence as to the energy benefits of a simplified fare system. Such a system usually makes long trips cheaper and short trips more expensive, and could result in compensatory losses and gains in patronage with negligible energy savings.

10.3.2 The Committee understands that the Metropolitan Transit Council is currently studying this matter and accordingly makes no recommendations.

### 10.4 Seeking to have Fares on Public Transport to Work allowed as a Tax Deduction

10.4.1 The Committee received evidence that such a scheme would be equivalent to a reduction in fares. As has been previously mentioned, fare reductions are not as significant as other methods in attracting patronage, (refer para. 10.1.1).

10.4.2 The Committee therefore believes such a system would have limited impact and accordingly makes no recommendation.

### 10.5 Providing Priority Routes or Reserved Routes for Public Transport

10.5.1 The Committee received evidence which suggests that priority routes for public transport, can be provided in many circumstances with a net reduction in energy consumption even if there is no relevant change in mode choice from car to public transport.

10.5.2 An example of this occurred when a 7 km. long transit lane was implemented along Spit Road, Sydney. Buses, taxis, motor cycles and vehicles with three or more occupants were permitted to use the lane. It was found that there was a 23% increase in the number of car pools on the route, mainly as a result of the formation of new car pools. The number of car drivers decreased by an estimated 3.7% whilst the number of bus passengers decreased by 4.2%. Approximately 60% of new car poolers were formerly car drivers. The bus patrons who turned to car pools were almost balanced by car drivers switching to buses. Another major finding showed that after one year of operation, the overall person-time on the route decreased. The mean morning peak travel time for buses decreased from 24.2 minutes to 13.0 minutes with a dramatic decrease in variance. For other vehicles in the transit lane the reduction was from 16.7 minutes to 10.0 minutes

and vehicles in the other lanes experienced a decrease from 14.1 minutes to 11.1 minutes with a corresponding improvement in the variance of the travel time. Other changes included overall car occupancy-rate increases and fewer cars on the route.

10.5.3 The Ministry of Transport estimates that in Melbourne 32% of tram travel time in the morning peak, and 43% in the evening peak, consists of delays caused by traffic signals and traffic congestion. The Ministry further estimates that elimination of these delays could save the M.M.T.B. about \$10m. each year in operating costs and would attract more patronage.

10.5.4 There are already some forms of priority routes in Melbourne. Buses have a priority lane on the Hoddle Street off-ramp of the Eastern Freeway, and are not required to pay the toll on the Westgate Bridge. As well, a peak period priority lane for buses now operates in Johnston Street, Collingwood.

The most common form of priority for trams is the use of loading zones. These not only provide tram passengers with a safe refuge, but also allow trams to overtake short queues of traffic, and eliminate the delay to motor traffic in waiting, while passengers cross the road between the kerb and tram.

10.5.5 The Committee also received evidence which suggests that once loading zones have been installed, there appears to be a benefit to traffic if it is constrained to continuous lanes between loading zones, rather than being allowed to diverge onto tram tracks and then merge back into through-lanes beside the zones. This has shown to be the case in Nicholson Street with barrier kerbing and safety bars on the east and west sides of the tramtracks respectively. The speed of motor vehicle traffic appeared to improve from 19 km/hr. to 21 km/hr.

10.5.6 The Melbourne Transport Plan (1978) in recognising the benefits of priority lanes suggests the establishment of these lanes along St. Kilda Road, Flemington Road, Royal Parade, Nicholson Street, Bridge Road and Wellington Parade during the next five years, and along Sturt Street, Queensbridge Street, Clarendon Street, Lygon Street, Queens Parade, Batman Avenue and St. Georges Road beyond that period.

10.5.7 The Committee, however, considers the introduction of priority lanes a complex one and believes the wholesale implementation of these lanes may not be wise. Rather, each case must be treated on its merits.

The Committee understands that providing priority lanes is an excellent means of promoting public transport over private vehicles, but believes that from an energy conservation viewpoint, the trade-off between the two may result in increased fuel consumption.

The Committee reiterates the fact that many travellers are captive to their cars, and so may not be able to utilise public transport despite its priority. If vehicle flows along a route with a priority lane do not reduce considerably, the loss of one lane of traffic could dramatically increase congestion and slow the rate of flow thus increasing fuel consumption.

10.5.8 The Committee therefore recommends that priority lanes be implemented only after a thorough examination of each particular route indicates there will be no detrimental effect to private vehicle flow. The Committee further recommends that the use of these priority lanes be made available to multi-occupancy vehicles, taxis and motor cycles.

## 10.6 Providing Modal Interchange Facilities

10.6.1 Evidence received suggests that the effectiveness of this measure as an energy conservation procedure would not be significant.

The Committee believes that its greatest effect would be in facilitating cross-flow public transport travel and, coupled with integrated timetables, would not only benefit existing users but could help prevent the drift of patronage away from public transport, especially for work journeys. For these reasons the Committee considers them necessary.

10.6.2 The Committee therefore recommends that the modal interchange facilities currently planned for Box Hill and Frankston be constructed without delay and, further, that the development of these facilities at other suitable locations be examined along with integrated timetables.

## 10.7 Establishing an Overall Transport Planning Authority

10.7.1 A Metropolitan Transit Council was established on 30 May 1978 with the aim to co-ordinate all agencies involved. The Committee considers that the Council lacks any real power, but in view of the short time it has been in existence the Committee considers it would be inappropriate to make any recommendations.

## 11. IMPROVING TRAFFIC FLOW

The potential for reducing fuel consumption through improved traffic flows is significant. The aim is to reduce stop-start motoring, increase the average speeds of vehicles and so reduce both travel times and the higher rates of fuel consumption demanded by vehicle acceleration.

The Committee, however, received some evidence which suggests that by improving traffic flow it will in turn attract extra traffic and so negate these expected improvements. The Committee examined this argument very seriously, but concluded that in many cases this extra traffic is attracted from other routes which means these routes would then have less congestion. Also, improved traffic flows are desirable for reasons such as road safety and reduced pollution.

The Committee will now examine each item listed.

### 11.1 Co-ordinating Traffic Signals

11.1.1 The concept of co-ordinated traffic signals is to provide an inter-relationship between the green phases at successive intersections. This means that the beginning of the green phase at an intersection is set to occur at a given time after the green phase at the previous intersection. Each set of traffic signals is actually operated and co-ordinated by equipment known as signal controllers, and the method of co-ordination determines whether a fixed time system or a dynamic (demand-responsive) system operates.

11.1.2 Fixed time systems mean co-ordinating traffic signals to operate at certain phases according to the time of day, i.e. morning peak hour, evening peak hour, off peak, etc. The length of phases in a fixed time system is calculated by using historical traffic flow data. A computer is often used to analyse this data and calculate the length of the phases, but the weakness of this system is its inflexibility as it is unable to respond immediately to unforeseen changes in patterns of vehicle flow.

11.1.3 A dynamic system, on the other hand, overcomes this inflexibility by responding immediately to changing demands of traffic flow regardless of the time of day. This system relies completely on computer control and requires each signal controller to be linked to a mini-computer, which in turn is linked to others through a master computer. This allows for flexible co-ordination of signals over given routes.

The main advantages attributed to a dynamic system over a fixed time system are:

- (i) This system uses the most recently collected data which is continuously fed into the mini-computer from traffic detectors at each intersection, providing for greater flexibility over historical data upon which a fixed time system relies;
- (ii) Data collected at an individual intersection can be used as the basis for overall control of a region, or data from all intersections linked to that computer may be used depending on conditions. This is achieved because the computer is able to analyse instantly any unusual changes in traffic flow and so alert the whole system to this change; and
- (iii) The cycle time at each intersection (i.e. length of green and red signals) and the co-ordination of green signals at each successive intersection can be changed to meet frequent changes in daily operations or in special circumstances.

11.1.4 Another aspect of a dynamic system is that an area-wide system of traffic signal co-ordination can be built up, region by region. Initially, a region is controlled by a single mini-computer, and then adjoining regions are established also using mini-computers, until eventually there are enough regions operating to make the establishment of a master computer worthwhile. This master computer can then co-ordinate the system for an entire area. An area-wide system is that which operates in Sydney. Developed by the Department of Main Roads in New South Wales, it comprises 11 regional mini-computers which are in turn supervised by one central computer.

That system has a refinement in the extensive use of closed-circuit television surveillance. A central control room in the city is staffed continuously by specially trained policemen who constantly monitor the operation of all signals and the movement of traffic. This monitoring allows speedy correction of any breakdowns in the system.

11.1.5 In theory, then, vehicles travelling in the direction bearing the most traffic could move along a road that has co-ordinated signals and never face a red light. This theoretical "green-wave" however is rarely achieved because of factors such as road geometry, varying lengths between intersections, traffic volumes, the speed along the route and cross-stream flows of traffic.

11.1.6 The results in practice however are very beneficial. For instance, in Sydney, where this co-ordinated system operates very effectively, research by the Department of Main Roads shows that the system has achieved the following:

- (i) Improvement in travel time varying from 10% to 50%;
- (ii) Reduction of intersection accidents (especially rear-end accidents) by 13%; and
- (iii) Reduction of noise levels and air pollution.

The improvement in travel time, coupled with reduced stop-start motoring, produces a considerable reduction in fuel consumption. Figures produced by Watson, Milkins & Marshall<sup>(9)</sup> at Melbourne University show that savings of 10-15% are achievable with the scope for further savings.

11.1.7 This reduction in fuel consumption is brought about by allowing vehicles a better opportunity to travel at their optimum fuel-efficient speeds. This optimum speed is usually in the range of 60-70 km/hr. In the inner suburban areas of Melbourne, however, the average speed on arterial roads is in the range of 20-35 km/hr. which is well below optimum. The Road Safety and Traffic Authority estimates that a co-ordinated system of traffic signals would increase this average by about 10 km/hr. and this would yield a total road transport fuel saving of about 8% over present consumption.

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(9) Paper submitted to the Institute of Engineers Australian Transportation Conference, November 1979, by H. C. Watson, E. E. Milkins and G. Marshall.

11.1.8 The Committee therefore recommends that as an important fuel conservation practice, traffic signals in the Melbourne Metropolitan area should be co-ordinated as soon as possible. The Committee also recommends that a closed circuit television monitoring system be installed concurrently.

## 11.2 One Authority to Control all Traffic Lights and Signals

11.2.1 The control of the traffic signal network in Victoria is divided between the Country Roads Board, the Road Safety and Traffic Authority and Local Government. At present, the Road Safety and Traffic Authority sets standards, designs and specifications for signals, and provides these signals to municipalities to install. The Country Roads Board, on the other hand, has responsibility for traffic signals on declared roads under its control. Following the transfer of the Melbourne and Metropolitan Board of Works' responsibility for road construction to the Country Roads Board, Country Roads Board controlled traffic signals are now operating in the metropolitan area, and, in fact, to the border of the Central Business District. The remainder of the signals within the City of Melbourne are controlled by the Melbourne City Council. This division in responsibility is, the Committee believes, a major reason why the co-ordination of traffic signals in the metropolitan area has not developed to the level that exists in Sydney and Brisbane.

11.2.2 Within the metropolitan area some traffic signal co-ordination has been undertaken by both the Melbourne City Council and the Country Roads Board. At present the Melbourne City Council has 126 sets of signals that are co-ordinated, and the Country Roads Board has installed co-ordinated signals on routes such as the Maroondah Highway through Ringwood, Johnson Street Bridge and the Eastern Freeway. In most cases these systems are generally incompatible with each other and cannot be incorporated in an area-wide system.

11.2.3 To overcome this problem, both the Country Roads Board and the Melbourne City Council are currently developing and installing traffic management computer programs which, it is anticipated, will eventually co-ordinate all traffic signals under their respective control.

11.2.4 The Country Roads Board computer program is known as SCRAM (Signal Co-ordination of Regional Areas in Melbourne) and is based extensively on the computer program developed by the Department of Main Roads for Sydney known as SCATS (Sydney Co-ordination Adaptive Traffic System). The Melbourne City

Council, on the other hand, is developing a computer program known as the UTCS/BPS Program (Urban Traffic Control System/Bus Priority System). This program was developed in the United States of America by the Federal Highways Administration. Both programs are dynamic programs and will produce the benefits flowing from a demand responsive system.

11.2.5 The Committee, however, became extremely concerned when it learned of the development of these two different computer systems. It appears to the Committee to be an unfortunate example of the failure of Government Departments, Authorities and Local Government, to co-operate effectively.

11.2.6 The Committee sought evidence as to why these two systems were being developed concurrently instead of one uniform system. Both the Country Roads Board and the Melbourne City Council then advanced arguments as to why their respective systems were superior and better suited for Melbourne conditions. The Road Safety and Traffic Authority, however, does not specifically support either system but instead believes that tenders for traffic management programs should be called from the open market. From evidence received, the Committee understands that the SCAT system is being installed in Canberra, has been recommended for installation in Adelaide and is being considered for Perth. As well, the National Association of State Road Authorities (NAASRA) is considering the possibility of establishing a technical group to provide software maintenance and technical back-up for all SCATS users in Australia.

The Committee also understands that the Melbourne City Council would be one of the few users of the UTCS/BPS program outside the United States of America.

11.2.7 A fear the Committee held was that if both systems became fully operational they would be incompatible with each other, and this incompatibility would diminish their effectiveness. However, evidence received from both the Country Roads Board and the Melbourne City Council suggests that both systems can work as long as there is sufficient boundary area between the two. It was pointed out to the Committee that regardless of which system is in operation, the motorist will benefit.

11.2.8 What is still of concern to the Committee, however, is that considerable effort and resources are going into the development of two different computer programs.



The Committee is most critical of this and believes this situation should never have been allowed to develop, and instead all parties should have adopted a uniform approach and developed one computer traffic management system for the Melbourne Metropolitan area.

All parties should have pooled their resources, and in doing so, would have undoubtedly achieved co-ordination far more quickly, and at less expense, than will now be achieved.

Even the existence of a Metropolitan Traffic Signal Co-ordination Strategy Committee has been unable to prevent this dual system developing. This Committee, whose membership is made up from the Ministry of Transport, the Ministry of Police and Emergency Services, the Country Roads Board, the Victoria Police, the Melbourne City Council and the Road Safety and Traffic Authority, would appear to have been the one body capable of preventing this dual system. In failing to do so, the need for one controlling authority is amply demonstrated.

11.2.9 As mentioned in paragraph 11.2.1, the Committee believes that this division of responsibility and control has had a detrimental effect on the operation of traffic signalling in Melbourne. The Committee believes that a sound and consistent policy regarding installation, operation, co-ordination and maintenance of traffic signals is vital.

11.2.10 The Committee recommends that all traffic signals in Victoria be placed under the control of the Country Roads Board. The Committee believes the Board has the engineering and technical expertise as well as sufficient Statewide resources to control all traffic signals. The Committee further recommends that legislation be introduced into Parliament immediately to achieve this single control.

### 11.3 Extending Present "Clearway" System, especially on Roads used by Trams and Buses

11.3.1 Evidence received by the Committee supported the system of clearways as a fuel conservation measure because they reduced travel times. The Committee, however, understands that in Melbourne most routes which can benefit from clearways (especially along tram routes) have had them implemented and so the potential to extend this system is very limited.

11.3.2 The Committee also received evidence to the effect that it is the intersections which control route capacity and delay, and so treatments applied to road segments between intersections will have little effect. Clearways are, in the main, complementary to traffic management strategies.

11.3.3 Accordingly, the Committee recommends that clearways be extended where possible.

#### 11.4 Buses being permitted to use Tramline Routes

11.4.1 After examination of the evidence received, the Committee believes that there is so little scope for implementation of this concept that it would not be worthwhile. In fact the Melbourne and Metropolitan Tramways Board believes such a scheme would be dangerous because of the different speeds and braking patterns of the two modes.

11.4.2 Therefore, the Committee rejects the above proposal.

#### 11.5 Separating Tramlines from Vehicular Traffic Lanes, especially in the Central Business District and on Main Arterial Routes

11.5.1 The Committee included this item in its discussion on providing priority routes for public transport. This is listed in paragraph 10.5 of this Report.

To reiterate briefly, the Committee recommends that whilst these priority routes have significant potential for energy conservation, each case must be treated on its merits and receive thorough investigation.

#### 11.6 Speed Limits

11.6.1 This item was suggested to the Committee as having potential for energy conservation.

Evidence received by the Committee suggests that the optimum operating speed for a car is approximately 40-60 km/hr. The average speeds on urban arterial roads, however, is in the range 20-35 km/hr., and on rural roads 80-100 km/hr., so therefore vehicles are rarely operating at their optimum speeds.

11.6.2 The means of increasing the average speed in urban areas is discussed elsewhere, so the Committee in this section will consider only the question of reducing the legal speed limit.

11.6.3 In 1974, the United States Government imposed a 55 m.p.h. speed limit on all roads as an energy-conservation measure. This resulted in an estimated drop of 1-2% in road transport fuel consumption, and also a reduction of 6.4 km/hr. (4 m.p.h.) in the average speed of cars, and 2.4 km/hr. (1.5 m.p.h.) reduction in the average speed of trucks on two-lane rural roads.

11.6.4 The Country Roads Board and the Ministry of Transport estimate that if such a reduction in average speeds was achieved in Victoria by lowering the speed limit from 100 km/hr. to 90 km/hr., a reduction of 3% in rural fuel consumption could reasonably be expected. This would, however, only mean a 1% saving in the total Victorian road fuel consumption.

11.6.5 Evidence received, however, suggests that lowering the speed limit would be very difficult to enforce as experiments have shown that if speed limits are below what drivers intuitively regard as safe and reasonable, they are widely disobeyed. Also, reduced average speeds because of lowered speed limits will increase travel time, and may conflict with the gearing of trucks that operate most efficiently at or about current speed limits.

11.6.6 The Committee therefore recommends that there be no reduction in the speed limits on Victorian roads, as it would be difficult to enforce, and any fuel saving overall would be minimal.

12      REDUCING MOTOR TRAFFIC TO THE CENTRAL BUSINESS  
DISTRICT, CITY ENVIRONS AND OTHER URBAN CENTRES

The Committee believes the effectiveness of this aim, as an energy conservation measure, is extremely limited. This is because 70% of work trips, and 61% of all trips to the Central Business District, are made on public transport. Even if these figures could be increased, the effect overall would be marginal because Central Business District travel is only a small portion of total Melbourne travel. Figures received show that only 14% of work travel, and 10% of all travel in Melbourne, is generated by the Central Business District.

The Committee also received figures from the Country Roads Board which show that most vehicular traffic approaching the Central Business District does not have its destination there, but rather, will pass through the Central Business District to other destinations. These figures are:

- 68% by-passable from the south;
- 85% by-passable from the west; and
- 85% by-passable from the north-east.

Later in this Report the Committee has included an examination of means whereby these traffic flows can be assisted. (paragraph 12.4).

12.1      Improving the Standard and Reliability of  
Public Transport

12.1.1 The Committee has already discussed this item in paragraph 10 and made appropriate recommendations.

12.2      Providing Free Transport from Regional Car Parks  
on the Perimeter of the Central Business District

12.2.1 After examination of the evidence the Committee concluded that this proposal would be unlikely to conserve fuel. In fact, it could increase fuel consumption because commuters who presently park at suburban railway stations may be encouraged to drive further towards the Central Business District.

12.2.2 Furthermore, locating sufficient space to establish these regional car parks would be extremely difficult. The Melbourne City Council stated in evidence that in the area bounded by Spencer, Flinders, Lansdowne, Victoria and Dudley Streets, there are currently 38 200 spaces available. Any attempt to relocate these spaces in regional car parks would require enormous areas of land or many car parking buildings.

12.2.3 The Committee therefore rejects the above proposal.

### 12.3 Increasing Parking Fees and Reducing Parking Facilities within the Central Business District

12.3.1 The Committee examined both of these items jointly and concluded that they would be unlikely to conserve fuel.

Considering the figures quoted in paragraph 12, even if the measures were successful and reduced vehicle volumes in the Central Business District, the fuel savings would be negligible.

12.3.2 The Committee therefore rejects the above proposal.

### 12.4 Extending the Freeway System

12.4.1 The Committee believes the linking of certain existing freeways is an essential step to improve overall traffic flow and reduce vehicle flows into the Central Business District.

12.4.2 As previously stated, approximately 68-85% of all traffic approaching the Central Business District will pass through it. These volumes cause congestion, stop-start motoring, below-optimum vehicle speeds, pollution and an increase in the consumption of fuel.

A major cause of this is the fact that the freeways which run into the Central Business District are not linked, and traffic which uses them is forced onto the existing road network, which lacks effectively co-ordinated traffic signals.

12.4.3 An idea of the volumes involved are shown by the figures in paragraph 12, and the Committee believes that these highlight the need to establish a viable by-pass route for the Central Business District.

12.4.4 The first such freeway link the Committee considers must be established is the F14 Freeway. This would link the Johnson Street Bridge and F9 Freeway with the Tullamarine Freeway.

A major benefit with this link is that it would draw predominantly heavy vehicles away from residential areas. Also, the freeway would run mainly through industrial and railway areas and so have minimal impact on residential areas.

12.4.5 The Committee believes the second link to be established is the widening of Punt Road between the Nepean Highway and the Eastern Freeway.

12.4.6 The third link that the Committee believes should be established is the joining of the South-Eastern and Mulgrave Freeways.

12.4.7 The Committee therefore recommends that for fuel conservation benefits the following freeway links be constructed:

- (i) F14 Freeway;
- (ii) Punt Road widening; and
- (iii) Joining the South-Eastern and Mulgrave Freeways.

\* \* \* \* \*

Committee Room,  
1 May 1980.

## APPENDIX A

Persons or Organisations to whom a copy  
of the Guidelines was sent:

Road Safety and Traffic Authority  
Melbourne City Council  
Royal Automobile Club of Victoria Ltd.  
Melbourne and Metropolitan Board of Works  
Victoria Police  
Eagle Signal Company of Australia Pty. Ltd.  
Melbourne University  
Commonwealth Scientific & Industrial Research  
    Organisation.  
Monash University  
Victorian Automobile Chamber of Commerce  
Municipal Association of Victoria  
Ministry of Transport  
Melbourne and Metropolitan Tramways Board  
Victorian Railways  
Retail Traders Association of Victoria  
Country Roads Board  
Transport Regulation Board  
Australian Conservation Foundation  
The Local Government Engineers Association of  
    Victoria.  
Victorian Taxi Association  
Commonwealth Department of Transport  
Urban Land Institute of Victoria  
Transport Workers Union of Australia  
    (Victorian Branch)  
Victorian Road Transport Association  
Bus Proprietors Association (Vic.)  
Amalgamated Wireless (Australasia) Ltd.  
The Institute of Engineers, Australia  
    (Victoria Division)  
Citizens Against Freeways  
Action for Public Transport  
Town and Country Planning Association  
Association of Consulting Engineers Australia  
    (Victorian Chapter)  
Australian Road Research Board.

## APPENDIX B

## Submissions Received:

Road Safety and Traffic Authority  
 Melbourne City Council  
 Royal Automobile Club of Victoria Ltd.  
 Melbourne and Metropolitan Board of Works  
 Victoria Police  
 Eagle Signal Company of Australia Pty. Ltd.  
 Melbourne University  
 Commonwealth Scientific & Industrial Research  
     Organisation.  
 Monash University  
 Victorian Automobile Chamber of Commerce  
 Municipal Association of Victoria  
 Ministry of Transport  
 Melbourne and Metropolitan Tramways Board  
 Victorian Railways  
 Country Roads Board  
 Transport Regulation Board  
 Australian Conservation Foundation  
 The Local Government Engineers Association of  
     Victoria.  
 Victorian Taxi Association  
 Commonwealth Department of Transport  
 Urban Land Institute of Victoria  
 Transport Workers Union of Australia  
     (Victorian Branch)  
 Victorian Road Transport Association  
 Bus Proprietors Association (Vic.)  
 The Institute of Engineers, Australia  
     (Victoria Division)  
 Town and Country Planning Association  
 Association of Consulting Engineers Australia  
     (Victorian Chapter)  
 Australian Road Research Board.  
 State Bicycle Committee.



APPENDIX C

List of Witnesses

- Dr. D. R. Warren, Principal Research Scientist, Aeronautical Research Laboratories, Department of Defence.
- Mr. N. Sach, Senior Executive Officer, Road Safety and Traffic Authority.
- Mr. J. F. Noonan, Deputy City Planner (Strategy), Melbourne City Council.
- Mr. R. Bartlett, Chief Engineer, and  
Mr. I. F. Russell, Manager - Traffic and Safety ) Royal Automobile Club of Victoria Ltd.
- Mr. J. Brodie, Acting Director of Planning ) Victorian Railways.
- Mr. A. Firth, Chief Electrical Engineer. )
- Mr. J. Godfrey, representing the Municipal Association of Victoria.
- Mr. J. M. Bayley, Assistant Director of Transport - Planning, and ) Ministry of Transport.
- Mr. J. G. Pamplin, Assistant Director of Transport. )
- Mr. R. K. Downing, Deputy Chairman, and  
Mr. G. A. Carkeek, Engineer - Planning. ) Melbourne and Metropolitan Tramways Board.
- Mr. R. J. Bartholomew, Engineer for Transportation Research, and ) Melbourne and Metropolitan Board of Works.
- Mr. W. Pattinson, Assistant Supervising Planner - Route Feasibility and Planning Liaison. )
- Mr. R. T. Underwood, Chief Planning Engineer, and ) Country Roads Board.
- Mr. G. Mariager, Engineer. )
- Mr. M. C. G. Schrader, Director, Bus Proprietors Association (Vic.)
- Mr. Alan G. Longstaff, Division Chairman, and ) The Institution of Engineers Australia, (Victoria Division).
- Mr. Graeme C. Preston, Transportation Branch Chairman. )
- Mr. J. B. Koschade, Chairman - Civil Branch, Association of Consulting Engineers Australia.
- Mr. D. P. Bowyer, Senior Research Scientist and Co-ordinator - Transport Systems Research. ) Australian Road Research Board.
- Dr. R. R. M. Johnston, Senior Research Scientist, Division of Mechanical Engineering. ) Commonwealth Scientific and Industrial Research Organisation.
- Mr. H. L. Camkin, Director. ) Traffic Authority of New South Wales.
- Mr. A. J. Percival, Secretary)
- Mr. K. Fehon, Engineer. )
- Mr. R. T. Underwood, Chief Planning Engineer ) Country Roads Board.
- Mr. E. V. Barton - Traffic Engineer. )
- Mr. I. G. Hodges, General Manager, Victorian Railways.

## APPENDIX C (contd.)

## Inspections Undertaken

Sydney, 20 August 1979.

The Committee inspected the Department of Main Roads Traffic Emergency Centre and held discussions with Mr. A. G. Sims, Traffic Systems Manager.

Brisbane, 23 August 1979.

The Committee inspected the Brisbane City Council's Traffic Monitoring Centre and held discussions with:

Alderman W. C. R. Harvey;  
Alderman L. A. Ardhill;  
Mr. E. A. Borrows, Manager, Department of Planning and Co-ordination;  
Mr. F. Reed, Director, Traffic Planning Branch;  
Mr. K. Pearce, Traffic Engineer - Operations, Traffic Planning Branch; and  
Mr. W. F. Coles, Traffic Manager, Department of Transport.

The Committee inspected the Main Roads Department's Traffic Monitoring Centre and held discussions with:

Mr. E. Finger, Chief Engineer;  
Mr. K. Leitch, Senior Traffic Engineer; and  
Mr. R. Blinco, Acting Engineer - Traffic Control.



## MEAT INDUSTRY COMMITTEE

FURTHER REPORT ON  
OPERATIONS OF SALEYARDS

*together with an Appendix*

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*Ordered to be printed*

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SECTION 4

4. The function of the Committee shall be to conduct an inquiry into and report and make recommendations to the Council and the Assembly upon the question of whether the existing arrangements (including the statutory provisions) relating to the meat industry in Victoria are satisfactory, and what changes (if any) should be made; and, in particular -

- (a) whether the present situation of the meat industry in Victoria is satisfactory in relation to -
  - (i) livestock killing and the chilling, freezing, packing, labelling, transporting, and selling facilities with respect to meat for human consumption;
  - (ii) the location, present capacity, and facilities of abattoirs and meat processing works and associated trades, and the needs (if any) to expand such facilities;
  - (iii) the standards of operation of the facilities referred to in sub-paragraphs (i) and (ii), including hygiene, inspection and grading procedures for meat destined for local consumption and for export;
  - (iv) the role of the Government, of municipal authorities, and of private enterprise as administrators, owners or operators of such facilities;
  - (v) the control of livestock selling centres, their capacity and location in relation to such facilities, and the methods of selling livestock presently used;
  - (vi) the methods of selling meat, including the relationships between meat works owners and operators, wholesale and retail meat traders, meat purchasers and consumers;
- (b) upon any other matters which appear relevant to the inquiry.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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TUESDAY, 13TH APRIL, 1976.

13. MEAT INDUSTRY COMMITTEE. - The Honorable V. O. Dickie moved, by leave, That, contingent upon the enactment, this Session, of legislation for the establishment of a Joint Select Committee of the Legislative Council and the Legislative Assembly to Inquire into and Report upon Certain Questions relating to the Meat Industry in Victoria, and for other purposes, the following Members of this House be appointed Members of the Committee, viz:- The Honorables R. J. Eddy\*, W. G. Fry and S. E. Gleeson.

Question - put and resolved in the affirmative.

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TUESDAY, 29TH JUNE, 1976.

17. MEAT INDUSTRY COMMITTEE. - The Honorable V. O. Dickie moved, by leave, That the Honorable W. G. Fry be discharged from attendance upon the Meat Industry Committee, and that the Honorables R. J. Eddy and N. F. Stacey be added to such Committee.

Question - put and resolved in the affirmative.

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\* The Honorable R. J. Eddy ceased to be a Member of the Legislative Council on 26 June, 1976, upon expiry of his term. He was re-appointed to the Committee on 29 June, 1976, after being sworn in for a new term as a Member of the Legislative Council.

NOTE : The Joint Select Committee (Meat Industry) Act 1976 (No. 8828) was assented to on 22 April, 1976.

EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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TUESDAY, 13TH APRIL, 1976.

61. MEAT INDUSTRY COMMITTEE. - Motion made, by leave, and question - That, contingent upon the enactment, this session, of the Joint Select Committee (Meat Industry) Bill, Mr. Fogarty, Mr. Ginifer, Mr. McKellar, Mr. Suggett, and Mr. Trewin be appointed Members of the Committee (Mr. Thompson) - put and agreed to.
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## REPORT

The MEAT INDUSTRY COMMITTEE, appointed pursuant to the provisions of the Joint Select Committee (Meat Industry) Act 1976 (No. 8828), has the honor to report as follows:-

1 The Committee has now completed its fourth term since its first appointment in 1967. Although initially established to consider the impact of the Inland Killing Inquiry Report of 1964, (1) the Committee has broadened its scope and has looked at such matters as meat inspection, animal health, the broiler chicken industry, relevant legislation, the pet food industry, and the still contentious areas of livestock selling methods and saleyards.

2 On 23 November, 1977, the Committee tabled in both Houses of Parliament the second of its reports on Future Operations of Livestock Selling Centres. (2) In paragraph 59 of that Report, the Committee recommended inter alia -

- (1) That continued operation of Municipal saleyards is the responsibility of local government, and no centre should be closed.
- (2) That Government grants for construction or maintenance of saleyards be phased out.
- (3) That no Government money be allocated for installation of liveweight scales at this stage.
- (4) That no pilot studies for liveweight selling at any centre be permitted to commence until the full effects of the introduction of carcass classification is known.

3 Following some discussion with the Committee, the Municipal Saleyards Association, on 22 August, 1978, formally requested that the Committee reconsider those recommendations in light of the continuing delay in the introduction of carcass classification and continued doubts in the meat industry of the ability of this method to provide a viable alternative to the auction system of selling livestock. In a letter to the Municipal Saleyards Association dated 29 August, 1978, the Committee agreed to do so.

- (1) Report of the Inland Killing Inquiry Committee. M. No. 32/1964-65.
- (2) Final Report upon Future Operations of Livestock Selling Centres. D. No. 29/1976-77.



4 Appended to this Report (Appendix A) is a list of witnesses who appeared during the course of the Inquiry, together with Minutes of Evidence.\* During the Inquiry the Committee visited New South Wales and held discussions with officers from :

the City of Wagga Wagga;  
the City of Goulburn;  
the Metropolitan Meat Industry Board; and  
the Australian Meat and Livestock Corporation.

The Committee also inspected the meatworks of R. J. Gilbertson Pty. Ltd. at Altona, and the Newmarket saleyards.

5 Since its last Report the Committee has taken evidence upon which it has deliberated but, by which, it has not been persuaded to amend or materially change the opinions already expressed.

6 The meat industry has undergone rapid changes in this period, and it is not possible at this stage to assess their influence on stock selling methods.

Committee Room

13 March, 1979.

\* Minutes of Evidence not printed.

APPENDIX AWitnesses

- Mrs. H. K. Field, Demonstrator in Agricultural Economics, School of Agriculture, La Trobe University.
- Mr. W. Curran, Secretary, Australasian Meat Industry Employees' Union.
- Dr. P. J. Nestel, Deputy Director, Baker Medical Research Institute.
- Mr. E. R. King, Gippsland Chairman, and Mr. B. Farmer, Member, Cattlemen's Union of Australia.
- Mr. R. M. Carrail, Chief, Division of Animal Industries, Department of Agriculture.
- Mr. P. R. Heighway, Executive Officer, Municipal Saleyards Association.
- Mr. T. Dunkin, Senior Lecturer in Animal Production, School of Agriculture, University of Melbourne.
- Mr. W. J. Goodall, Senior Engineer, Local Government Department.
- Mr. B. R. Dixon, President, and Mr. W. G. Handbury, Executive Director, The Victorian Stock Agents' Association.
- Mr. J. A. Kelly, President, and Mr. J. B. Barclay, Secretary, Graziers' Association of Victoria.
- Mr. D. Culbert, Executive Officer, Victorian Meatworks Association.
- Mr. D. Crowe, Chairman, and Mr. K. Shiell, Executive Officer, Pastoral Division, Victorian Farmers' Union.
- Mr. J. W. Davis, State President, Meat and Allied Trades Federation of Australia (Victorian Division).
- Mr. M. Long, Member )  
 Mr. C. Kennedy, Director ) Prices Justification Tribunal.  
 Mr. R. Cafarella, Secretary)
- Mr. R. Frearson, Superintendent of Abattoirs and Markets, Melbourne City Council.



PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE

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REPORT ON THE

AUDITOR-GENERAL'S REPORTS FOR 1976-77

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*Ordered to be printed*

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Parliamentary Paper  
D-No. 14/1979-80



EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF  
THE LEGISLATIVE COUNCIL

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WEDNESDAY 19 MARCH 1980

- 4 PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE -  
The Honorable A.J. Hunt moved, by leave, That the Honorables Clive Bubb, G.A.S. Butler, D.K. Hayward and N.F. Stacey be members of the Public Accounts and Expenditure Review Committee, and that the said Committee have power to send for persons, papers and records.

Question - put and resolved in the affirmative.

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EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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WEDNESDAY 19 MARCH 1980

- 6 PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE -  
Motion made, by leave, and question - That Mr. Evans (*Gippsland East*), Mr. Ginifer, Mr. Mackinnon, Mr. Mathews, Mr. Remington, Mr. Richardson, Mr. Rowe and Mr. Williams, be Members of the Public Accounts and Expenditure Review Committee; and that the Committee have power to send for persons, papers and records (*Mr. Maclellan*) - put and agreed to.

## TERMS OF REFERENCE

### PARLIAMENTARY COMMITTEES (PUBLIC ACCOUNTS AND EXPENDITURE REVIEW COMMITTEE) ACT 1979

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#### SECTION 5

5. The functions of the Committee shall be -
- (a) to examine the accounts of the receipts and expenditure of the State and to bring to the notice of the Parliament any items in those accounts, or any circumstances connected with them which it may consider appropriate;
  - (b) to inquire into and report to the Parliament on any question in connexion with public expenditure which is referred to it by the Council or the Assembly;
  - (c) to consider and report to the Parliament how, if at all, the administration of Government programmes and policies may be carried out more efficiently, effectively and economically; and
  - (d) to report to the Parliament any alteration which may appear desirable to be introduced in the form or method of keeping and presenting the Public Accounts, or in the mode of receipt, control, issue or payment of the public money.

R E P O R T

The Public Accounts and Expenditure Review Committee has the honour to report as follows: -

1 An Inquiry was conducted into the Auditor-General's reports for 1976-77 by this Committee's predecessor, the former Public Accounts Committee. The investigations had been completed but not reported upon when legislation was passed constituting the Public Accounts and Expenditure Review Committee and dissolving the then Public Accounts Committee. The matters raised and the results of the investigations are the subject of this report.

2 During the course of the Inquiry the Committee heard evidence from: -

Mr. B.J. Waldron, Auditor-General;

Mr. L.W. Carver, Insurance Commissioner;

Mr. J.J. Vanderfeen, Manager, Finance Division,  
State Insurance Office;

Mr. W.D. Young, Assistant Director-General of  
Agriculture;

Mr. N.J. Barwick, Assistant Director General of  
Education (Building).

3 This report deals with several matters arising out of the Auditor-General's reports for 1976-77. Because of the delay in preparation of this Report the Committee has noted that some of the matters referred to by the Auditor-General in his reports for 1976-77 have again been raised in his reports for 1977-78. As certain of these matters still have not yet been resolved, it is intended that they will be further considered during the course of the Committee's Inquiry into the Auditor-General's reports for 1977-78.



4 As is the usual custom, matters arising out of the Auditor-General's Report for 1976-77 are dealt with first, followed by those referred to in his Supplementary Report for the same period.

### Variations of Annual Appropriations

#### Main Report page 21

5 At page 21 of his main report, the Auditor-General referred to three variations of the purposes or services specified in certain items of the *Appropriation (1976-77, No. 1) Act 1976* which were authorised by the Treasurer, but for which there did not appear to be legislative authority. This matter was taken up with officers of the Treasury during the course of the Committee's Inquiry into Expenditure from the Advance to the Treasurer 1976-77 and has therefore been dealt with at paragraphs 120 to 122 in the Committee's Report on that investigation (Parliamentary Paper D. No. 12 of Session 1978-79).

### Insurers' Guarantee and Compensation Supplementation Fund

#### Main Report pages 33-34

6 In his report the Auditor-General commented in the following terms: -

*An audit report on the operations of the Fund for the period from the date of its establishment, 28th May, 1975, to 30th June, 1976, drew attention to several unsatisfactory features including:*

- (a) the fact that the legislation does not provide any clear indication as to whether the Treasury or the Insurance Commissioner is responsible for the administration of the Fund;*
- (b) the absence in the legislation of any specific power to examine the records of insurers in relation to the receipt and payment by any administering authority of the surcharge levy; and*

(c) weaknesses in internal control and associated difficulties in establishing the correctness of amounts receivable and payable from the Fund.

The several matters raised by audit have yet to be resolved.

7 The Supplementation Fund was established in 1975 for the purpose of recompensing employers on account of certain increased liabilities incurred under the *Workers Compensation Act* 1958 and to meet claims, awards and judgments against employers in cases where insurers failed to provide indemnity under an accident insurance policy. Revenue was raised by means of a surcharge levied on premiums paid for policies under the *Workers Compensation Act* 1958. Initially, this surcharge was 20 per centum, but was subsequently reduced to 10 per centum as from 1 October, 1976. The levy was discontinued on 15 September, 1977. However, legislative authority still exists to enable the reintroduction of the levy if required.

8 The Auditor-General, Mr. Waldron, indicated to the Committee that Treasury is responsible for collection of the surcharge and the processing of applications for refunds for premium overpayments, and the processing of claims is the responsibility of the State Insurance Office. He further indicated that audit test checks of returns revealed errors and omissions, and that with the exception of the State Insurance Office, there was no method of verification of the amounts due to the Supplementation Fund. He also advised that no check is undertaken by Treasury to ensure that the levy payable on the amounts deducted for refund to an individual policy holder is in accordance with statutory premium elements (as defined by the Act). Complete reliance as to the accuracy of returns and correctness of payments is placed on statutory declarations from companies. Mr. Waldron also indicated that audit examination of insurers' returns revealed errors in calculation of surcharge.

9 In commenting on weaknesses in internal control, Mr. Waldron expressed the belief of audit office staff that items which they detected represented only a small percentage of discrepancies.

10 During the course of a visit to the State Insurance Office in September, 1978, the Committee discussed this matter with the Insurance Commissioner Mr. Carver, and the Deputy Insurance Commissioner, Mr. Hammond. Mr. Carver indicated to the Committee that, at that stage, no capital additions were being derived from surcharges, and that the Fund stood at \$65 000 000 as at 1 July 1978. Claims were being met from the Fund which was subject at that stage to actuarial assessment to determine action.

11 Mr. Carver saw a need for some changes to be made in relation to the Fund and indicated to the Committee that he had outlined these matters in a submission to the Chief Secretary. He expressed the view to the Committee that logically, the State Insurance Office should administer the Fund but that the office is lacking the necessary staff resources to undertake this task. He also indicated that any audit, which presumably would include checks as to the accuracy of insurance returns and payments, would require a number of staff, and would probably be beyond the present staff resources of the State Insurance Office, Treasury or the Audit Office. He did not envisage that there would be any problems in auditing the returns of private insurers to ensure that their contributions were correct, if adequate staff were available.

12\* It is clear from the Committee's inquiries that some errors have occurred and that the amount of any

\* The *Workers Compensation (Miscellaneous Provisions) Act 1979, No. 9297*, places responsibility for the Fund with the Treasurer and also gives the Treasurer the power to delegate to the State Insurance Commissioner any or all of his powers in relation to the Fund.

The Act also requires an insurer to furnish an auditor's certificate in relation to contributions to and claims from the Fund and facilitates inspection by the Insurance Commissioner of an insurer's books of account.

These amendments are to enable the accuracy of insurers' returns to be verified.

discrepancy is difficult to ascertain. As legislative authority still exists to enable the reintroduction of the levy if desired, the Committee believes that administrative procedures should be reviewed. This review should put complete responsibility for the Fund with either the State Insurance Office or the Treasury.

### Education Department Properties

#### Main Report pages 61-62

13 On page 61 of his main report the Auditor-General referred to the acquisition of a property at 45 Greenstreet Prahran, in the following terms: -

*During the year the Department paid \$51,953 for the above property which was purchased for the Prahran College of Advanced Education.*

*The last request by the Department to the College for reimbursement of the moneys spent was made on 30th September, 1976, and at the time of preparation of this Report no moneys had been received from the College. The Item of the Public Works and Services Act 1976, from which this purchase was made does not provide funds for the purchase of properties on behalf of colleges of advanced education.*

14 In evidence to the Committee Mr. Waldron indicated that the Prahran College had requested the purchase of the above property on 24 July 1975 and the Victoria Institute of Colleges requested the Education Department to purchase the property on 23 September 1975. An audit inquiry on 21 October 1975 showed that there were insufficient funds available to meet costs of the purchase. Mr. Waldron went on to indicate that the Estates Branch of the Department purchases properties for colleges from time to time, but generally no commitments are entered into unless assurances are given that funds are available to reimburse the Department.

15 The Assistant Director-General of Education (Building), Mr. Barwick, indicated in evidence to the Committee that it was a long-standing practice of the Department to purchase properties on behalf of the Victoria Institute of Colleges and that it was normal practice for the Department to enter the concluding stages of purchase although no funds are available to the College at that stage. The Department then seeks reimbursement from the Victoria Institute of Colleges after the purchase has been concluded. The Victoria Institute of Colleges then takes immediate steps to obtain reimbursement from the Commonwealth Government and in due course passes on the funds which it receives

to the Department. Mr. Barwick indicated that the audit report on this particular purchase was made when the Department was in the process of obtaining reimbursement of funds from the Victoria Institute of Colleges. He also contended that the Department undertakes purchases of this nature because it has a Land Purchasing Group with expertise in this area and has elected to offer the services of this group to others rather than establish parallel purchasing bodies.

16 In further evidence to the Committee, Mr. Barwick acknowledged that there is no formal authority to charge purchases on behalf of the Victoria Institute of Colleges against an item in the Public Works and Services Act to his knowledge.

He indicated that the practice had developed over many years and that it was now accepted practice to charge such purchases to the Education Department item in the Public Works and Services Act.

Mr. Barwick told the Committee that similar purchases are still being charged to the item in the Public Works and Services Act although use of the procedure is not high, as the number of purchases for the Institute is now stable or declining. The Committee was informed that \$45 435 had been paid to the Department and that a balance of \$7 103, including legal fees, was outstanding.

17 In his main report the Auditor-General also referred to the purchase of a property at 4 Princes-avenue, Caulfield East. Mr. Waldron commented on this purchase in the following terms: -

*An amount of \$51,500 was paid in May, 1977 for the above property which was purchased for the Caulfield Institute of Technology.*

*At the time of preparation of this Report, no payment had been received from the Institute to reimburse the Department for the purchase made.*

*The item of the Public Works and Services Act 1976, from which this purchase was made, does not provide funds for the purchase of properties on behalf of colleges of advanced education.*

18 The above purchase is similar in many respects to the purchase of 45 Green-street, Prahran. The Committee has been informed, however, that full payment was received by the Education Department on 20 October 1977.

19 The Committee was concerned that both purchases were initially charged to an item in the Public Works and Services Act where it is conceded that no formal authority exists to make such charges. The Committee recommends that formal authority should be established.

20 Mr. Waldron referred to a further property - Ardoch, 226 Dandenong-road, East St. Kilda - in his report in the following terms: -

*The above property was purchased at auction on 26th May, 1976, for the sum of \$1,325,000. It includes a number of flats for which rentals are being collected by managing agents appointed by the Department.*

*Contrary to the provisions of Sections 11 and 12 of the Audit Act 1958, deductions have been made by the managing agents from gross rentals collected in respect of wages, electricity and gas accounts, cleaning and purchase of carpets and sundry items of equipment.*

*Gross rentals collected by the agents for the period 26th August, 1976 to 30th June, 1977, amounted to \$56,646 of which the Department received \$30,433.*

*A detailed audit report covering various aspects of the transaction was forwarded to the Department and the Treasury in December, 1976. A reply had not been received at the time of preparation of this Report.*

21 The audit report indicates that the property was purchased at auction on 26 May 1976 on the following terms: -

- (a) a deposit of \$132 500 was to be paid within 24 hours of sale;
- (b) a further \$265 000 was to be paid by 26 August 1976;
- (c) the balance of \$927 000 was to be paid by 26 November 1977;
- (d) no interest charges were involved; and
- (e) a cash discount of 12 per cent was to apply if the total was paid within ninety days.

The audit report to which Mr. Waldron referred was examined by the Committee. The report revealed that, following consultation with the firm of valuers, ministerial approval was obtained for the departmental officer attending the auction to bid up to \$1.2 million. It was therefore necessary for further approval of the Minister to be obtained to cover the additional cost. The audit report also indicated that as a result of a submission from the Assistant Director-General of Education (Building), it was intended that a revolving fund would be created outside the Public Account, under the control of the Committee of Management.

22 The audit report recorded a number of criticisms, which were summarised by the auditor as follows: -

- (a) *there are no specific directions to officers purchasing properties at public auction as to their authority to exceed the amounts previously authorised;*
- (b) *under the terms of sale a saving of \$159,000 could have been effected if advantage had been taken of the discount offered for cash in 90 days;*
- (c) *the proposal to establish a revolving fund outside the Public Account, as envisaged by the original submission approved by the Minister, would have been in contravention of section 11 of the Audit Act 1958, and indicated a complete lack of appreciation of the requirements for Parliamentary control over public moneys.*
- (d) *the delay in payment of rental moneys to the Consolidated Fund, due apparently to the reluctance of the agents to disregard previous instructions;*
- (e) *deduction of expenditure items other than agents' commission and urgent repairs from moneys collected;*
- (f) *a general disregard of sections 11 and 12 of the Audit Act and sections 89 and 90 of the Constitution Act 1975; and*
- (g) *an apparent lack of internal control procedures established to ensure that all rentals are properly accounted for by the agents. For proper control a register of flats should be established, debits raised for rentals due and totals compared with agents' returns.*

23 Mr. Barwick discussed the acquisition of "Ardoch" with the Committee. He indicated that the arrangements whereby rental would be collected by the Committee of Management after deduction had been made by the agent, had been given specific authority by the Minister of Education. Mr. Barwick also contended that a commonsense business approach had been adopted in relation to the management of this particular property.

24 Given that the purchase was of a large number of flats with protected tenancies and the ongoing expectations that those properties would be maintained while the tenants paid rent, the Department believed that some agency arrangement should be continued whereby it could receive rents, maintain properties, and handle costs from within those rents.

25 The Education Department's response to the audit report was as follows: -

- (a) *When the Education Department has a genuine interest in property to be auctioned, it has been normal practice for the departmental officer attending to exercise his discretion in bidding to secure the property based on his experience in property dealings. However, this procedure has since been revised and ministerial approval defining an upper limit figure is now obtained prior to an officer bidding at auction.*
- (b) *At the time of the purchase of "Ardoch", there were insufficient funds to settle for cash within 90 days because of other firm commitments due from the Sites and Properties Accounts.*
- (c), (e) and (f)  
*Upon taking possession of the property, the Education Department was unable to proceed immediately with the development of the educational and community facilities which were envisaged, and there were pre-existing contractual lease arrangements with tenants. The Department's concern was that it would not be able to satisfy immediately all of the service functions which it has assumed as landlord, particularly with regard to the payment of outgoings, other than by such outgoings continuing to be handled for the time being by the managing agents from tenants' rentals. Net rentals were then paid into Consolidated Revenue. This was the rationale behind the submission to the Minister, which he approved on August 4, 1976.*
- (d) *We are not aware of any reluctance by the managing agents to disregard previous instructions.*
- (g) *The monthly statement of account submitted by the managing agents was presented to the Committee of Management and it has been pointed out to them the need for internal control to ensure the integrity of tenants' rental receipts.*

26 Mr. Barwick expressed the view that certain procedures criticized by the audit inspectors were in fact valid and logical procedures, developed to meet needs not adequately provided for in current legislation. He stressed the need to ensure the existing legislative framework was amended, particularly in regard to Ministerial authority.

27 In support of this contention, he highlighted the situation where legislation was introduced to allow school councils a wide degree of autonomy, including authority to enter into a wide range of contracts, to call tenders for work to be undertaken and for the employment of ancillary staff. He maintained that similar powers should be given to the Department under the *Education Act 1958*. A consequence is that there is a decentralized system operating in the Education Department where individual units have powers which are not available to the Minister.



28 The Committee is satisfied that the Education Department has not complied with existing statutory requirements in the above matters. It is the view of the Committee that the Department must comply with statutory requirements at all times. If these requirements no longer meet the Department's objectives, they should be reviewed as a matter of urgency. Any review of legislation or statutory rules should be undertaken in consultation with Treasury and Audit Office personnel, in order that there are adequate accounting and audit safeguards in any new arrangements.

29 Dealings in relation to the property at 83 Argostreet, South Yarra, were also referred to by the Auditor-General in his report in the following terms: -

*To accommodate Camberwell High School Annexe, an experimental progressive school, the Department leased the above premises from the Community Welfare Foundation for a period of three years commencing on 1st February, 1975, at an annual rental of \$20,280. The school was closed on 18th December, 1975, and has since been relocated in other leased premises.*

*The Argo Street premises remained unoccupied until 30th June, 1977. Rental paid by the Public Works Department on behalf of the Education Department in respect of the unoccupied period amounted to roundly \$27,000.*

*Further, the Department in June, 1977, contributed \$125,000 towards purchase of the premises by the Prahran City Council. The departmental file indicates that the estimated cost, in May, 1977, of surrendering the leasehold and making necessary repairs to the building to return it to its original condition would not have exceeded \$45,000.*

*The contribution of \$125,000 to the Prahran City Council was charged against Item 1 of the Public Works and Services Act 1976. There appears to be no authority in that Item for such an expenditure.*

The Auditor-General, Mr. Waldron, explained to the Committee that no reimbursement could be expected in relation to expenditures on this account.

30 Mr. Barwick advised the Committee that towards the end of 1975, a decision was taken to close the school. After the school had been closed, vandalism was very severe and material damage was incurred. As tenant, the Education Department was responsible for maintenance and was faced with a rapidly deteriorating property.

31 In view of the decision to close the school, estimates of the cost of surrendering the leasehold and making repairs ranged from \$45 000 up to \$145 000 - the correct

figure being difficult to pinpoint. In view of the high costs which faced the Department, a proposal was developed with the Prahran City Council, whereby the Council would buy the property which would be jointly developed as a community education centre.

Mr. Barwick indicated that the estimate of \$45 000 would relate more to the balance of lease costs and restoration of student-caused damage. Subsequent damage, which was far more destructive, led to a revision of cost estimates. This resulted in an estimate of \$140 000 plus \$20 000 rental which was due when the Department entered into the arrangement with the Council. The final expenditure amounted to \$125 000 which was \$35 000 less than the estimated amount.

32 The Auditor-General's final reference to property dealings by the Department related to 81-119 Cubitt-street, Richmond. At page 62 of his report he included the following comments: -

*The Department on 9th December, 1975, entered into an agreement to lease this property for the purpose of its development as an annexe to the Richmond Technical College. Among other things the lease provided for a term of ten years from 1st February, 1976, with the option of a renewal for a further ten years, and a rental of \$92,000 per annum plus outgoings and maintenance, to be subject to review every two years based on movements in the consumer price index. The rental value assessed by an officer of the Valuer General's Office was \$83,000 per annum but in view of the need for the property the Department agreed to pay the final figure asked, i.e. \$92,000 per annum.*

*Subsequently it was estimated that the cost of establishing the annexe to conform to user requirements would be in the vicinity of \$2,500,000 and a decision was made in June, 1976, to acquire the property. At the date of preparation of this report the property had not been acquired and only a small area was in use to store certain equipment belonging to the College.*

*In accordance with the leasing agreement advice has been received in the Department that the annual rental will increase to \$118,192 from 1st February, 1978.*

33 Mr. Barwick explained to the Committee that the building in Cubitt-street was sought by the Department because of pressure from metal trades associations and a clear need to provide facilities for metal trades apprentices. The asking rental for the building was initially \$100 000 whereas the Valuer-General's assessment of valid rental level was \$83 000. Because of the urgency of the matter and difficulties experienced in obtaining similar

properties, Ministerial approval was subsequently obtained for the payment of rental amounting to \$92,000 per annum. A proposal was then developed by the Department for renovation of the building at an estimated cost in excess of \$2.5 million. Mr. Barwick indicated that in his view, the level of capital improvement to a leasehold property was unreasonable and the Department therefore took steps to acquire the property. He explained that acquisition has been difficult because the original owners - J.J. Cash and Company - sold the property shortly after arrangements were entered into for its lease by the Education Department.

The new purchasers - Rokeba Nominees - asked \$2 million for the building whereas independent valuation put the value at \$1.25 million. The Committee has since been informed that the Department has now compulsorily acquired the property and renovation work is in progress. Action has been taken to have the final purchase price determined in the Supreme Court.

34 The Committee's inquiry into this transaction showed that the property was sold to its new owners at the end of March, 1976. At the time of sale the Education Department lease had eight or nine years to run. The Committee is concerned at the significant difference between the asking price to the Department and the independent valuation, particularly as the new purchasers should have been aware of the situation regarding the lease and the likelihood that the Department would be forced to acquire the building because of the economics of renovation.

35 Explanations provided in respect of the various property purchases appear to be logical and a common sense business approach seems to have been taken in respect of each purchase. The Committee is concerned, however, that the Education Department has adopted this approach without first having legislative authority. The Committee reiterates its belief that the Department, in consultation with Treasury and Audit Office personnel, should review its legislation and statutory rules so that proper authority exists for the Department to meet its objectives.

Education Department Advance Account - Main Report page 62

36 The Committee queried the failure of the Department to reconcile the Advance Account for a number of years.

The Auditor-General explained that, whilst the reconciliation was not made regularly with the bank statements, a junior officer was responsible for balancing the account from 1973 to 1976. A report was made by that officer which showed that the account was properly reconciled. Errors found in the banking section's cash books showed, however, that the account was not reconciled and it was then discovered that the reconciliation of the

Advance had been incorrectly forced to the balance.

The reconciliation could not be made because of incorrect entries.

37 The amount of the error was approximately \$31 000 and the Department has informed the Committee that it has completed checking the reimbursements and expects to complete the checking of cash book entries by 30 June 1980.

Although there was no misappropriation in this instance, it does highlight the fact that Advance Accounts are subject to possible misappropriation or shortages if they are not reconciled with the various bank statements regularly.

#### Forests Plant and Machinery Fund

##### Main Report page 79

38 Mr. Waldron commented in his report to the effect that the Forests Commission "has been requested to seek legal opinion as to whether transfer of a sum, arbitrarily determined from the Forestry Fund to the Forests Plant and Machinery Fund, comes within the meaning of section 32 of the *Forests Act 1958*". He went on to indicate that the situation has not yet been determined.

When he appeared before the Committee Mr. Waldron indicated that an opinion had since been obtained and the matter was expected to be settled within a short time.

Mr. Waldron has since advised the Committee that the Commission obtained an opinion from the Solicitor-General, which stated that there was nothing in section 32 of the Act to prevent the transfer of other funds to the Forests Plant and Machinery Fund. He further advised that he was now satisfied with the situation.

#### Department of Labour and Industry Annual Advance

##### Main Report page 95

39 In the Auditor-General's Reports for 1974-75 and 1975-76 and again in 1976-77, reference has been made to the fact that the Annual Advance of the Department of Labour and Industry has not been reconciled since 15 January 1974.

The Auditor-General told the Committee that the Department had advised him that the decision to transfer the departmental payroll to the computer pay cost system

as from October 1974 had proved to be effective and great improvements had been achieved by the capacity of most branches to cope with expanding pay-rolls and greater frequency of salary variations. However, in the period from October 1974 to June 1975, it had an opposite effect on the operation of the Advance Account. Some aspects of the computer system were not clearly understood by the staff concerned at the time. This fact, together with numerous discrepancies, particularly in connection with salary payments in advance and taxation deductions, have made the task of trying to reconcile the amount an extremely formidable one.

At the same time, difficulties arose in reconciling superannuation returns and it was many months before these returns could be brought up to date. Mention was also made of staff shortages.

Considerable work has been undertaken by the Accountant to reconcile the Advance Account as at 30 June 1975. As at the date of Mr. Waldron's appearance before the Committee the Account still had not been reconciled.

40 The Committee has noted further comments from Mr. Waldron to the effect that this reconciliation has still not been made. The Committee is concerned at the lack of satisfactory progress by the Department in reconciling the Advance.

#### Mines Department - Petroleum Royalties

##### Main Report page 101

41 The Auditor-General restated his 1975-76 comments concerning petroleum royalties and it seems that a determination on royalties is little closer to finalization than when the Committee reported<sup>1</sup> on the matter in relation to those 1975-76 comments. Whilst the Minister for Minerals and Energy, as the Designated Authority, is in a position to make a determination, there is an agreement that the Commonwealth Government will be consulted before any determination is made.

Advice received by the Committee is that the Commonwealth Government has sufficient information to enable it to formulate its policies.

42 Whilst there can be no certainty about the amount involved until the determination is made, information given to the Committee during its inquiry into the Auditor-

<sup>1</sup>Victorian Parliamentary Papers, D.No.27/1976-78 and D.No.4/1979-80

General's Reports for 1975-76 suggested that any adjustment would favour the State and that, at that stage (1977), the amount of arrears could have been as high as \$15 million. This figure would be increasing each year.

The Committee is seriously concerned at the delay and the possibility of substantial amounts being outstanding to the State for such a protracted period. Further, the calculation required after a determination is made becomes greater with each passing year.

The Committee is investigating the current petroleum royalties situation and the cause for the continuing delay with officers from Treasury and the Department of Minerals and Energy. The results of this investigation will be reported in the Committee's report on the Auditor-General's Reports for 1977-78.

### Defalcations and Irregularities

#### Main Report pages 145-6

43 In accordance with the usual practice the Committee examined several reported cases of defalcations and irregularities, two of which are deserving of further comment: -

#### (a) Mount Buffalo National Park

The Auditor-General reported a deficiency of approximately \$3 038. In discussion with the Committee Mr. Waldron indicated that his audit inspector had drawn attention to the lack of security in relation to ski tow tickets which led to a deficiency of \$2 127. No satisfactory explanation could be obtained in relation to a shortage of funds. However, Audit Office staff were of the opinion that the Department has now taken steps which should prevent a recurrence of this situation.

#### (b) Social Welfare Department - Family Assistance

In evidence to the Committee Mr. Waldron indicated that reference had been made in the previous Auditor-General's Report to an overpayment of \$3 420. As a result of this earlier reference an audit investigation was initiated embracing a review of the whole system. Unfortunately, at the time evidence was tendered to the Committee, this investigation had not been completed because of lack of experienced staff and other audit commitments. Difficulties were

also being experienced in matching Commonwealth and State records, and some problems were raised at Commonwealth level because of the legislation on privacy in the Commonwealth area.

Because of the difficulties being encountered, the audit investigation has been unable to proceed. The matter is therefore, still unresolved. In view of the apparent difficulties in this area, the Committee believes that the systems, procedures and controls presently in use should be thoroughly reviewed.

### Late Accounts

#### Supplementary Report page 3

44 Several instances were again listed of accounts being unavailable for inclusion in the Report. The two instances of greatest concern to the Committee were as follows: -

(a) Local Authorities Superannuation Board

In this instance the Auditor-General reported that the accounts of the Board for the year ended 28 February 1977 were not available for inclusion in the report. In evidence to the Committee Mr. Waldron indicated that accounts for the year ending 28 February 1976 were not presented for audit until the first week of May 1977, and were only in draft form at this stage. Many adjustments were necessary and corrected accounts were not presented and verified until July 1977. Signed accounts were finally presented in mid-August 1977 and the audit report was signed towards the end of October 1977. The delay was occasioned because consideration was being given to possible qualifications concerning depreciation of buildings owned by the Board.

Mr. Waldron informed the Committee at the time of presentation of his evidence that the accounts for the year ended 28 February 1977 were still not ready for audit, although some progress had reportedly been made. He offered the view that preparation of the accounts requires far greater attention by the Board and indicated that attempts had been made to highlight this fact by way of formal comments by Audit staff and reporting in the Auditor-General's Annual Reports to Parliament. He was of the opinion that there was now greater awareness on the part of the Board of the need to produce its accounts on time.

Prompt completion and presentation of accounts is absolutely essential and the Committee expects the Local Authorities Superannuation Board to apply itself more effectively to this end.

(b) Country Fire Authority

The Auditor-General reported that the accounts of the Country Fire Authority for the year ended 30 June 1977 were not available for inclusion in this report. The accounts were received by the Auditor-General on 31 January 1978, and it was expected that the audit would be finalized by the end of March.

In evidence to the Committee, Mr. Waldron stated that the reasons advanced for the accounts being late were "Leave taken by critical staff at the normal time of preparing the accounts. Work pressures, both in volume and capacity."

The accounts for the previous year (1975-76) were also late and one of the reasons given then was staffing difficulties. Whilst the Auditor-General feels that there has been some improvement in the situation, the Committee is dissatisfied at the accounts being late and the apparent low priority that the finalization of the accounts is given by the staff and the Authority and expects the Authority to comply with the statutory requirements.

Albury-Wodonga (Victoria) Corporation - Acquisition of Properties - Supplementary Report page 5

45 On page 5 of the Supplementary Report Mr. Waldron referred to the following note appended to the balance sheet of the Corporation: -

*NOTE - The item in the Balance Sheet "Land and Buildings" \$12,482,560" under the head of Fixed Assets, includes amounts of \$76,112 and \$668,884 paid in respect of properties acquired from B.W. Harvey and K.G. Renwick Home Units Pty. Ltd. for areas of land outside or partly outside the area designated in pursuance of the Wodonga Area Land Acquisition Act 1973. Negotiations for the purchase of the two properties commenced prior to detailed definition of the area capable of acquisition by the Corporation, and the Corporation, with the approval of the Minister, proceeded to settlement.*



He went on to suggest that the Corporation's funds were not available for the acquisition of the two properties in question. This matter was discussed with Mr. Waldron and the Committee is also in possession of comments from the Department of State Development and Decentralization. The Department maintained that there was in fact legislative authority to acquire these areas, and that such authority is contained in section 5 of the *Wodonga Area Land Acquisition (Amendment) Act 1974*.

The Department's claim that section 5 gave authority to acquire the properties proved to be unfounded and legislation necessary to validate these and other purchases was introduced into the Parliament on 14 November 1979.

This highlights the necessity for departments to thoroughly understand legislation which governs their activities.

Onion Marketing Board - Books and Accounts

Supplementary Report page 59

46 Mr. Waldron commented on the Books and Accounts of the Onion Marketing Board in the following terms: -

*Pursuant to Section 13 (5) of the Marketing of Primary Products Act 1958, the Governor in Council appointed a chartered accountant as liquidator of the Onion Marketing Board as from 19th November, 1975, for the purpose of wholly winding up its affairs and the liquidator so appointed is still acting in the winding-up.*

*The books and accounts of the Board for the period ended 19th November, 1975, which were completed by the liquidator as far as possible, have now been audited and details of operations for the last two seasons, i.e., those ended on 15th November, 1974, and 19th November, 1975, are given in the statement hereunder*

	Pool	
	1974	1975
	\$	\$
Proceeds from sales.. .. .	1,408,949	919,512
Administration and Marketing Expenses ..	94,239	169,695
Payments to growers.. .. .	1,324,184	827,134

*However, because of unsatisfactory, incomplete and missing books and records, which were available neither to the liquidator nor to my officers, I have been unable to verify these figures or the assets and liabilities of the Board as at 19th November, 1975. I considered it necessary, therefore, to qualify my certificate to the Balance Sheet.*

47 In evidence to the Committee the Auditor-General indicated that there was no information available to the Audit Office which could give rise to suspicion about any officers or employees of the Board. However, he did point to the magnitude of sales involved and expressed the view that there may be a need for internal audit of marketing boards by the Department of Agriculture in view of the problems encountered with the Onion Marketing Board.

48 The Committee discussed this matter with an Assistant Director-General of Agriculture, Mr. W.D. Young, and also obtained copies of the liquidator's reports and other relevant material. It is a matter of concern to the Committee that the Board's creditors, according to the information available to the Committee at this stage, are unlikely to receive anything approaching full repayment of the Board's debts to them.

49 The Committee's inquiries led it to discuss the degree of accountability of marketing boards with Mr. Young. He indicated that the Department of Agriculture is normally only involved in administrative procedures associated with legislation, subordinate legislation, proclamations, Orders in Council and general matters requiring submissions to the Governor in Council. The Department usually will only provide technical and other professional assistance on request by a particular marketing board when it feels it has the necessary competence and expertise. The chairman and members of marketing boards are therefore directly responsible to the Minister of Agriculture rather than to the Department.

50 In the case of the Onion Marketing Board, the Committee's inquiries show that the Auditor-General, on 17 October 1977, sought comments on the liquidator's reports from the Chairman of the Board. This request was repeated on 14 December 1977 when, in a letter to the Director of Finance, the Auditor-General expressed the view that notwithstanding the fact that all members of the Board (including the Chairman) ceased to hold office on 4 December 1975, they should be given the opportunity to comment upon the Audit Report disclosing apparent inadequacies in administration of the Board during their term of office. This matter was therefore pursued by the Department of Agriculture but, despite several requests to the former Chairman, Mr. K.C. Marriott, no comments had been forthcoming as at September 1979.

51 The Committee was concerned that Mr. Marriott had not provided comments as requested on numerous occasions by the Department of Agriculture upon the audit reports and the liquidator's reports for the years in question. It is further concerned that there appears to be no authority in the legislation whereby Mr. Marriott can be compelled to do

so and thus account for the Board's stewardship.

Mr. Marriott accepted the Committee's request to attend but his comments did not help to clarify the situation as it was his contention that the records were complete but that the auditors did not understand the Board's systems. Whilst the debtors list given to the Committee by Mr. Marriott (from memory) was very similar to that compiled initially by the liquidator, no satisfactory answer was given as to where documentary evidence could be found which supported the claims and that would be legally acceptable in any court proceedings. This was the cause for the liquidator writing off much of the moneys listed as outstanding. The Committee believes that Mr. Marriott should still reply to the liquidator's reports.

The reports of the Government nominee on the Board to the Minister of Agriculture drew attention to the deteriorating situation regarding the finances of the Board and to suggested amendments sought by the Board to the *Marketing of Primary Products Act 1958*.

52 The Committee considers that the *Marketing of Primary Products Act 1958* should be closely examined with a view to ensuring that appropriate amendments are promulgated which will require accountability of marketing boards and their members to the Parliament.

Melbourne and Metropolitan Board of Works - Advances to Municipalities - Supplementary Report page 67

53 The following reference appears in relation to the above advances: -

*In the 1975-76 Report, it was brought under notice that the making of an advance of \$50,000 by way of loan to the Shire of Diamond Valley appeared to be outside the powers of the Board. This advance was subsequently repaid. It has since been brought to my attention that similar advances had been made to the City of Waverley, and that of these advances a total of \$400,104 was outstanding at 30th June, 1977. The Honorable the Minister of Water Supply has advised me that it is proposed to introduce legislation to validate this transaction.*

The Auditor-General has advised the Committee that he had received advice from the Minister of Water Supply to the effect that the only certain way of putting the matter beyond legal doubt was to amend the relevant legislation. In evidence to the Committee the Auditor-General also indicated that it was envisaged that an amending bill would be introduced in the near future.

54 The Committee has since ascertained that the *Melbourne and Metropolitan Board of Works (Miscellaneous Amendments) Act 1978 (Act No. 9235 - operative from 19 December 1978)* validated the agreement with the City of Waverley.

Melbourne and Metropolitan Board of Works - Punt Road  
Property Titles - Supplementary Report page 69

55 Reference was again made to the acquisition of properties in Punt-road in the following terms: -

*In accordance with the Metropolitan Bridges, Highways and Foreshores Act 1974, the Country Roads Board, as from 1st July, 1974 took over the assets and liabilities in respect of bridges and highways of the Melbourne and Metropolitan Board of Works. Included among the liabilities was a loan of \$800,000 maturing 1st July, 1992. The amount of the residual liability of this loan, \$371,447, was paid to the Board of Works by the Country Roads Board on 31st January, 1976, and credited to Sinking Fund - Metropolitan Improvement Fund. The funds will be held at credit of the Sinking Fund until the loan matures.*

*Although the Country Roads Board, on 7th July, 1975, reimbursed the Melbourne and Metropolitan Board of Works \$170,097 for four properties acquired for the Punt Road Widening Project, the Board of Works has still to transfer the titles to these properties to the Country Roads Board.*

56 The above matter was the subject of comment by the Public Accounts Committee in its report upon the Auditor-General's Reports for 1975-76 (Parliamentary Paper D No. 27 of 1976-77). In paragraph 40 of that report the Committee indicated that it was in the process of investigating the matter and had sought legal opinion from the Solicitor-General. The Committee subsequently obtained this opinion and is now satisfied that the Board has the legal authority to act as it has done.

Motor Accidents Board - Disbursement of Special  
Account Surplus - Supplementary Report page 82

57 Mr. Waldron commented in his report as follows: -

*The Motor Accidents Act 1973 authorized the establishment of: -*

- (i) the Motor Accidents Board, to provide for the payment of compensation to persons injured and to certain relatives of persons who die as a result of motor accidents; and*
- (ii) a Motor Accidents Tribunal, to decide appeals against decisions of the Board.*

*The three-year period relating to the Special Account, particulars of which have been given in previous Reports, ended on*

11th February, 1977. The surplus at 30th June, 1977, was \$2,429,610, and outstanding benefit liability has been estimated to be \$176,000. The legislation does not provide for disbursement of any surplus.

58 Mr. Waldron expressed the view that it apparently had not been anticipated at the time the legislation was introduced that there would be a surplus in the Special Account and no provision was therefore made to deal with the situation. He advised the Committee that the Board had invested the surplus and was seeking an appropriate amendment to the Act.

By letter dated 12 June 1978, the Board's General Manager advised the Committee that it had written to the Under Secretary on the matter and recommended that the surplus be used for improving facilities for treatment of motor accident casualties. He indicated that it was anticipated the recommendation would be considered in conjunction with the recommendations contained in the Report of the Board of Inquiry into Motor Vehicle Accident Compensation in Victoria.

The Committee agrees this would be a worthwhile use for the surplus which amounted to approximately \$2.4 million as at 30 June, 1977. In evidence given to the Committee on the Auditor-General's Reports for 1977-78, the Motor Accidents Board advised that the surplus in the Special Account still had not been provided for in amending legislation.

Motor Accidents Board - Income Tax Deductions from Benefits  
Supplementary Report page 83

59 Once again the Auditor-General in a footnote to the accounts of the Motor Accidents Board referred to the fact that no deductions from benefits were made in respect of income tax and that the matter was still unresolved.

The Auditor-General advised the Committee that a test case was expected to be heard by the Supreme Court in April or May 1978. The Board subsequently lost the case and appealed against the decision. The Federal Court dismissed the appeal and affirmed that the payments were taxable. Following dismissal of the Board's appeal, the *Motor Accidents Act* 1973 was amended to ensure that any payment by the Board could not be deemed salary or wages and would, therefore, not be subject to income tax.

State Insurance Office  
Supplementary Report page 98

60 The Auditor-General reported that as the final accounts for the financial year 1976-77 were not yet available, the information furnished, and the subject of his report, were in respect of the operations for 1975-76 only. The audit of the 1975-76 financial statements had not been completed in time for inclusion in the Auditor-General's supplementary report for that year.

61 Mr. Waldron commented in his report as follows: -

*My predecessor qualified his report on the Balance Sheet of the State Insurance Office as follows: -*

*The amount of \$15 million shown as "Provision for Claims Experience Discount" is not, in my opinion a proper charge against the year's operations. This item cannot be truly matched against the premium income for the year, is not an expense incurred in or in respect of the year ended 30th June, 1976, and, in my opinion, should have been treated in the Profit and Loss Statement as an appropriation of profit made for the specific purpose of providing for future anticipated allowances to policy holders. In my opinion, therefore, the year's net profit has been understated to the extent of \$15 million.*

*The overall net profit disclosed at 30th June, 1976, would have been \$26,141,249 had not this sum of \$15 million shown as "Provision for Claims Experience Discount" been charged against the year's operations. In addition, experience has now shown that the inflationary factor (an estimated 20 per cent. for the year ended 30th June, 1977) included by the consulting actuaries in the calculation of the liability of \$173,500,000 in respect of outstanding claims for compulsory third-party insurance at 30th June, 1976, was excessive.*

In commenting on his predecessor's qualification to the accounts of the State Insurance Office, Mr. Waldron advised that in respect of the provision for claims experience discount, the general effect is that the net profit of \$11 million overall would have been \$15 million greater had the provision for claims experience discount in respect of employers liability insurance not been charged against the year's operation. He added that it was a question of account treatment - should you show the profit as \$11 million or as \$26 million less the abnormal item \$15 million, giving a net profit of \$11 million. It was his opinion that the procedure should have been on the basis of disclosing \$26 million profit.

62 The Insurance Office did seek advice from a leading firm of chartered accountants experienced in insurance, which agreed with the procedure proposed. Based on this advice, the accounts were prepared and a profit of \$11 million was disclosed.

The Committee was informed by the State Insurance Office that this procedure is no longer a point of issue and that the Auditor-General had not repeated the qualification in respect of its 1976-77 accounts.

63 The Auditor-General also referred to compulsory third-party insurance and the fact that experience has now shown that the inflationary factor (an estimated 20 per cent for the year ended 30 June 1977) in respect of outstanding claims at 30 June 1976, was excessive.

The figure of 20 per cent., Mr. Waldron said, would have included an estimate of the Consumer Price Index inflation rate and the trend of judgements given by the courts.

Mr. Waldron also referred in his report to the fact that the "assessment of unpaid and unsettled claims at 30 June 1976, was based on an actuarial estimate, to which was added a provision for expenses in handling such claims. In previous years the assessment was made by the case method."

64 The State Insurance Commissioner stated that the inflation situation created problems in estimating and was a very difficult factor to take into account. In the employers liability area, case estimates are carried out but as a check, actuaries' appraisals of employers liability potential are also obtained. In the area of compulsory third-party insurance, actuarial appraisals have been used for some years. Several different bases are used - case estimates prepared by staff, case estimates prepared by lawyers handling the business, and the actuary who has his own model that he uses in arriving at a figure. The estimates support each other and the accounts are produced on a fairly standard sort of assessment which is not tied to profits or final results.

Zoological Board of Victoria - Kiosk Catering  
Rights - Supplementary Report page 111

65 At page 111 of his supplementary report the Auditor-General referred to a decrease in receipts and expenditure relating to kiosks. He stated: -

*The substantial decrease in both receipts and expenditure relating to kiosks was due to the granting, in December 1976, of sole catering rights at the Royal Melbourne Zoological Gardens, to a private catering firm. Under the agreement the Board received a commission on gross turnover.*

*Only one firm was invited to tender for this concession and a formal legal contract was not arranged. The Board responded to audit observations on these matters in an audit report in June 1977, to the effect that it had, as a responsible body, exercised its judgement both objectively and subjectively in seeking a suitable caterer and that the form of agreement into which the Board actually entered was preferable to a legal agreement.*

66 The Committee subsequently obtained a copy of the Audit Report and comments of the Zoological Board dealing with catering rights at the Royal Melbourne Zoological Gardens. Following its examination of this material the Committee then enquired as to whether other caterers were considered at the time the firm was invited to tender, and sought advice as to the present position.

67 Information provided to the Committee by the Ministry for Conservation on 6 February 1979, shows that no other caterers were considered at the time Richard Dax Catering Pty. Ltd. was given sole catering rights. This firm was subject to a trial period prior to being awarded a contract. The Committee was also advised that Richard Dax Catering Pty. Ltd. is still responsible for catering at the Gardens and, as from 1 March 1979, was to be awarded a contract on the basis of competitive tendering. In the Committee's view other caterers should have been invited to tender.

## GENERAL

### Public Trustee

68 In previous reports, the Auditor-General has referred to a review of the Public Trustee's accounting system being undertaken by the Organization and Methods Section of the Public Service Board and a firm of public accountants.

69 The Auditor-General informed the Committee that there were no basic problems in the Public Trustee's Office at the moment, except with respect to the central asset register. As the Public Trustee is responsible for certain assets which come into his possession as an administrator of estates, it is the Auditor-General's view that there should be a central asset register as a control.



Whilst an inventory of property exists on the individual files, there is no consolidated inventory of all property under the control of the Public Trustee.

Without a central asset register, the Auditor-General believes that problems could arise in relation to the subsequent sale of assets, or if they are leased, or are investment moneys arising from those investments.

70 A system was proposed and introduced late in 1975, but at the end of the 1976-77 year it had not achieved the control envisaged, due almost entirely to procedural alterations and failure to make amendments at the E.D.P. Centre. The question was considered and reviewed by an inter-departmental committee representing the Public Trustee, the Law Department, Treasury and the Auditor-General's Office.

71 The inter-departmental committee recommended *inter alia* that the existing asset recording system maintained at the E.D.P. Centre be abandoned; that a manual asset recording system in respect of all estates under administration be instituted; and in the event of the accounting function being computerized, the asset recording system should then become part of a total E.D.P. system.

72 Following receipt of the inter-departmental committee's report, the Secretary to the Law Department agreed to a request from the Public Trustee for a review and requested a firm of chartered accountants to undertake a review of the need for an asset recording system at the Public Trustee's Office. The company reported that in its view there was a need for an asset control register.

73 The present Public Trustee (like his predecessor) advised the Law Department that he was not convinced that an asset recording system was necessary, nor would any useful result be achieved by introducing one. The Committee was informed that certain other proposals were made but to date (March, 1980) no reply had been received from the Department by the Public Trustee.

74 The Committee is concerned at the apparent deadlock that has resulted. The Committee is seeking a decision on the asset recording system from the Department with a view to the system being either implemented or abandoned.

75 The Committee has noted that the Auditor-General in his reports for 1977-78 refers to the appointment of a

committee to review the existing E.D.P.-based asset control system. This matter will be pursued further when the Committee considers the Auditor-General's reports for 1977-78.

Committee Room,

6 May, 1980.



ROAD SAFETY COMMITTEE

REPORT ON

MOPEDS

Twentieth Progress Report.

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*Ordered to be printed*

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Parliamentary Paper  
D-No.5/1979.



EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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TUESDAY, 12 JUNE, 1979

- 4 ROAD SAFETY COMMITTEE-The Honorable A.J. Hunt moved, by leave, That the Honorables B.P. Dunn, H.M. Hamilton, and H.A. Thomas be members of the Road Safety Committee.

Question-put and resolved in the affirmative.

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EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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WEDNESDAY, 6 JUNE, 1979

- 4 ROAD SAFETY COMMITTEE-Motion made, by leave, and question-That, contingent upon the enactment this Session of the Joint Select Committee (Road Safety) Bill, Mr Culpin, Mr Fogarty, Mr McArthur, Mr McCance and Mr Reynolds be appointed Members of the Committee (*Mr Thompson*)-put and agreed to.

JOINT SELECT COMMITTEE (ROAD SAFETY) ACT 1979

Section 4

4 The function of the Committee shall be to conduct an inquiry into and report and make recommendations to the Council and the Assembly upon the question of road safety in Victoria, and in particular-

- (a) to specify the accident countermeasures which, in the opinion of the Committee, have been proved to reduce accidents and their consequences;
- (b) to specify the accident countermeasures so proved which are not at present being used in Victoria and which in the opinion of the Committee should be introduced into Victoria;
- (c) to consider whether there are any countermeasures not being used in Victoria which the Committee believes would be likely to achieve a worthwhile reduction in accidents;
- (d) to report on the research which the Committee believes should be undertaken by the State-
  - (i) to obtain more knowledge of accidents; and
  - (ii) to assess the value of present or proposed accident countermeasures;
- (e) to report on any other matters which appear relevant to the inquiry.

## R E P O R T

THE JOINT SELECT COMMITTEE ON ROAD SAFETY, appointed pursuant to the provisions of the Joint Select Committee (Road Safety) Act 1979 (No. 9252) has the honour to report as follows :-

## INTRODUCTION

1 By letter dated 5 September, 1978 the Honorable J.A. Rafferty, former Chief Secretary of Victoria, forwarded a request by the Honorable R.J. Hamer, E.D., M.P., Premier of Victoria, that the Parliamentary Road Safety Committee examine all matters relating to the use of motorised bicycles, more commonly referred to as "mopeds" in Victoria.

2 Mr. Rafferty advised that representations had been received from a number of organizations supporting special legislative and other action to facilitate the use of mopeds in Victoria. These representations had generally sought concessions in respect of the licensing of riders, the payment of registration fees and third party insurance premiums and compliance with the Road Traffic Act 1958 and regulations.

3 Mr. Rafferty enclosed with his letter copies of submissions made by the Road Trauma Committee of the Royal Australasian College of Surgeons and the Victorian Automobile Chamber of Commerce in relation to the use of mopeds and asked the Committee to examine both these submissions as part of its Inquiry.

4 The Committee agreed to undertake an Inquiry into mopeds in Victoria and advised the Chief Secretary accordingly, by letter dated 22 September, 1978.

5 At the present time in Victoria a moped is treated as a motorcycle under the Motor Car Act 1958 and the rider must conform with the same requirements of the Act and regulations as a motorcyclist. Consequently, a moped is subject to registration and third party insurance and the rider must have a motorcycle licence or learner's permit.

6 During the last two years in Australia there has been an upsurge of interest in the moped, as an alternative form of transport, particularly as a result of promotion campaigns by manufacturing and retailing interests. The great popularity of mopeds in European countries and more recently in the United States of America has been used to encourage their mass introduction into Australia.



7 The greatest advantage of a moped is its fuel economy, because on average it provides 100 kilometres per 2.27 litres fuel usage (or 125 miles per gallon). Besides advocating the benefits of economy and energy conservation the proponents of mopeds maintained that in large numbers they will reduce traffic congestion, make better utilization of parking areas and overall provide an efficient low cost form of personal transport.

#### AUSTRALIAN EXPERIENCE

8 There are very few mopeds registered on Victorian roads, as is the case in all the other States with the exception of Western Australia which has about 300 to 400. However the total registration of mopeds is still small in number when compared to the number of motorcycles on register in Australia.

9 The Committee obtained from Stanco Pty. Ltd. the names of 28 Victorian owners of mopeds and wrote to each of them seeking their comments on their machines. Fifteen replies were received which gave the Committee some limited first hand information relating to mopeds on the road.

10 The majority indicated they purchased mopeds for economy reasons, that they were pleased with their performance and they had not encountered too many problems. However, many indicated they felt vulnerable on the road at present, because motorists were still unsure of the speed and capacity of a moped.

11 The Committee sought comments on mopeds from other Australian States to ascertain whether they offered any encouragement to the use of mopeds as opposed to motorcycles with particular regard to definition, licence age, registration and third party insurance. The replies revealed that Western Australia is the only State which has taken any significant action on mopeds.

12 The National Safety Council advised that in Western Australia a moped is defined as "a motorcycle with a propelling engine having a piston displacement not exceeding 50 ml. and a maximum speed not exceeding 60 KM/H, and which is also capable of being propelled as a pedal cycle".

13 However, the Council advised that it now believes this definition is restrictive by including the 'pedals' clause and is currently recommending to the Western Australian Government that the definition be amended to read "a moped

means a motorcycle with two or three wheels and an engine with a swept volume not exceeding 50 ml. with a design speed of no more than 50 KM/H, with a tare mass excluding fuel of not more than 60 kg. with automatic transmission, and no provision for manual selection of gears".

14 Recent amendments to the Western Australian Road Traffic Act 1974 now enable mopeds to be ridden in that State by 16 year olds, which is one year earlier than for motorcycles. The National Safety Council advised that they recommended this action because it was felt that allowing 16 year olds to gain traffic experience on a light weight machine would do much to increase their roadcraft and traffic knowledge before moving on to larger machines and four wheel transport.

15 Mopeds in Western Australia are classified as a motor vehicle and consequently are required to be registered, have third party insurance and the rider must comply with all rules and regulations relating to the use of a motor vehicle on a road.

16 A particular motor drivers licence classification applies to the moped rider and is issued after passing a theoretical and practical test, except in the case of a 16 year old who is issued with a moped licence only. Mopeds are prohibited from using freeways, cycleways and paths in Western Australia.

17 The New South Wales Department of Motor Transport advised that there are no regulations in that State having application only in respect of mopeds. The Motor Traffic Regulations do have a special definition for power assisted pedal cycles, but mopeds exceed the power output of not more than 200 watts. Mopeds are therefore regarded as motorcycles and normal requirements concerning registration, third party insurance, age of licensee and the wearing of crash helmets apply.

18 The New South Wales Department advised that submissions for a special licence for moped riders and a lower minimum licensing age have been made from time to time in that State, supported in most cases on grounds that mopeds are easier to handle than conventional motorcycles and travel at a relatively slow speed. However, the Department has rejected such proposals, the view being taken that because a moped is capable of speeds up to the maximum permitted in urban areas, its use in traffic streams requires the rider to possess the same skills and accept the same responsibilities as any other motorcyclist.

19 The Registrar of Motor Vehicles in South Australia advised that mopeds have not as yet been defined in that State and they are presently treated as motorcycles. However, though a moped must be registered, there is no fee and the third party insurance rate is reduced to \$17 in accordance with the power of the machine.

20 The Road Traffic Board of South Australia supported the definition of mopeds being proposed by the Advisory Committee on Road User Performance and Traffic Codes, which is the same as the one recommended by the National Safety Council of Western Australia.

21 In South Australia there is no special licence for moped riders nor any age reduction and normal licensing requirements must be met. Mopeds are not permitted to travel on cycle paths or in bus lanes, but are permitted on freeways.

22 Queensland authorities advised that mopeds are classed as motorcycles and as such have to comply with all requirements applying to those machines. At the present time there is no view towards reducing the licence age for moped riders.

23 Mopeds are also classed as motorcycles in Tasmania and have to comply in all respects with the regulations for that class of vehicle. In addition a moped rider has to comply with motorcycle licensing procedures.

24 The Division of Road Safety in Tasmania is not encouraging mopeds because it believes that they are completely incompatible with the present traffic on the roads and would lead inevitably to more deaths and injuries. Consequently, it is opposed to any reduction in the licence age for moped riders.

25 The Road Safety Council of the Northern Territory advised that the Motor Vehicles Act 1978 makes no special provision for mopeds, but does define "powered cycles". However, as is the case in New South Wales, a moped is outside this definition and is therefore considered a motorcycle and has to be registered and comply with the necessary requirements. The Council informed the Committee that the Northern Territory Government has not made any public statements encouraging the use of mopeds.

26 Information obtained revealed that the minimum age to obtain a motorcycle licence in the Northern Territory is 17. However a 16 year old person who is a member of a

Driver Education School can obtain a licence to ride a motorcycle, which in turn would also allow that person to ride a moped.

#### OVERSEAS EXPERIENCE

27 The popularity of mopeds is high in most European countries, as well as in recent years in the United States of America and Japan. As there is no information available on accident rates of mopeds under Australian conditions, comparisons with accident rates for motorcycles and bicycles must be based on overseas data.

28 It was extremely difficult to apply this data to Australia, because there is no consistency, as some countries allow mopeds to be ridden without licences and registration, most do not require helmets to be worn and many allow pillion passengers.

29 A summary of the information obtained revealed that moped riders are less likely to be killed or injured than motorcycle riders. However, they are more at risk in most cases when compared to cyclists and substantially more at risk than motor car drivers.

30 One report entitled "Bicycles and Mopeds as Alternative Modes of Transportation" by B. Beukers, Ministry of Transport and Public Works, the Netherlands indicated the number of fatalities per billion passenger kilometres in the Netherlands in 1975 was 36 for the bicycle, 60 for the moped and 11 for the private car.

31 Further information obtained from the Secretariat for Safety Road Improvements in Denmark revealed that an estimate of the measure of risks for cyclists and moped riders in relation to car drivers showed it was approximately four times as dangerous to be an adult cyclist than a car driver and as much as sixteen times more dangerous to be a moped rider.

#### DEFINITION OF "MOPED"

32 Evidence submitted to the Committee on what the legal definition of a moped should be has varied quite considerably, ranging from little more than bicycles to motorised bicycles to low powered motorcycles, but the majority of the evidence placed mopeds in a unique category of their

own, deserving of a special definition. In addition there were several definitions put forward within each of these categories, but the Committee does not propose to become involved in the technical requirements of any moped definition.

33 As mopeds are relatively new to Australia the Committee strongly supports the view that there be a uniform definition of a moped throughout this country, rather than the difficult situation which exists in the United States of America, where progressively the states have formulated their own opinions. Consequently the moped definitions in America are many and varied.

34 The Committee is aware that the Advisory Committee on Road User Performance and Traffic Codes has a proposed definition for low powered two-wheeled vehicles. The definition recognises two classes of such vehicle, namely power-assisted bicycles and mopeds. The definition proposed for a moped is as follows -

*'moped' means a motor vehicle with two or three wheels and an engine with a swept volume not exceeding 50 ml having a maximum power output not exceeding 1.5 KW with a maximum design speed of no more than 50 KM/H, with a tare mass excluding fuel of not more than 60 kg with automatic transmission, and no provision for manual selection of gears.*

35 It is proposed that this definition and the one for 'power assisted bicycle' will be submitted to the Australian Transport Advisory Council for consideration and if approved each State and Territory will be obliged to consider introducing them. This definition is also the one already being recommended to the Western Australian Government by their National Safety Council.

36 As mopeds are no doubt going to become more popular, the Committee believes they must be given their own definition under the Motor Car Act 1958. It is essential that a moped be recognized as a 'motorised vehicle' and not a 'bicycle' or 'motorised bicycle'.

37 The Committee agrees with the definition being proposed by the Advisory Committee. If, as predicted, it gets the support of the Australian Transport Advisory Council, it should follow that mopeds will be uniformly defined throughout Australia. The Committee therefore recommends that mopeds be defined in Victoria under the Motor Car Act 1958 as stated in paragraph 34.

## LICENCE AGE

38 The most important question the Committee has had to consider in relation to mopeds is whether the licence age should be reduced to enable either 15, 16 or 17 year olds to ride them. The interest which is being attached to the use of two-wheelers, namely bicycles, mopeds and motorcycles is growing, as is the concern for the safety of their users, particularly the high proportion of young two-wheeler casualties in traffic accidents.

39 The Road Trauma Committee of the Royal Australasian College of Surgeons strongly supported the favourable introduction of mopeds as an alternative to motorcycles and with it a reduction in the licence age. In their submission the Committee favoured 15 as the age for a moped licence, but in later evidence before this Committee members stated that they now favoured 17. The Road Trauma Committee believed it would be better to take an age drop gradually and see how a one year reduction worked before proceeding any further.

40 The Victorian Automobile Chamber of Commerce submitted that mopeds have a very valuable role to fulfil in the pre-licence training of motorcyclists and motor car drivers. Consequently, the Chamber supported the view that the age for obtaining a moped licence should be reduced to 15 years. The Chamber considered that this would automatically give the school leaver preparatory training on low powered machines in readiness for the acquisition of a motorcycle or motor car licence.

41 The Chamber maintained that if the licence age was reduced to 15 years any disadvantage would be outweighed by the benefits. It was suggested that by exposing more people to injury risk on mopeds, the experience gained on the low powered vehicle would help in later transition to a motorcycle or motor car.

42 The Royal Automobile Club of Victoria recommended that moped riders should be required to have a licence consistent with that for motorcyclists, namely 17 years and 9 months. It was suggested that persons completing an approved pre-driver education programme should be eligible to submit to a licence test at 16 years and 9 months. The RACV regarded mopeds as low powered motorcycles and therefore considered they must be subject to the same licensing provisions.

43 The RACV was concerned that any reduction in the licence age would result in an increase in the number of road accident casualties. Reference was made to a paper by K. Langweider entitled "Collision Characteristics and Injuries to Motorcyclists and Moped Drivers" which tabulated the relevant risks of motorcycle, moped and motor car drivers.

44 Langwieder's study estimated there were 19 moped injuries to every 1,000 registered vehicles and the injury risk per 1,000 kilometres for moped riders was found to be twelve times greater than for cars, whilst motorcycles were 35 times greater. Fatalities for moped riders were ten times greater than for cars, as against 30 times for motorcyclists.

45 The RACV submitted that in the latest population census of 1976 in Victoria, there were over 600,000 males under the age of 18 and approximately 30,000 to 32,000 in each of the yearly ages between 18 and 21. The RACV contended that if it is assumed there are approximately 30,000 males in each of the age groups 15, 16 and 17 years and that 50 per cent of each group would ride mopeds if permitted, then 40,000 moped riders could appear on the roads in a very short space of time.

46 The RACV maintained that if Langweider's estimate of 19 injuries to every 1,000 registered mopeds was applied to the 40,000 potential riders in Victoria, the result could be an increase in injury accidents of conservatively 700 a year. The RACV further submitted that if only 25 per cent of the males between 15 and 18 acquired a moped, the increase in road casualties could be in the vicinity of 350 a year.

47 The Committee notes that these figures have not taken into account the 30,000 potential female moped riders in each of the ages 15, 16 and 17 years. Though it does not expect potential female users of mopeds to be in quite the same number as male riders, overseas statistics show that each year the number of women owning mopeds is increasing.

48 The Road Safety and Traffic Authority was opposed to any reduction in the licence age and considered a moped rider should be treated no differently to a motorcyclist in this regard. The Authority was of the opinion that whilst there may be mobility and fuel economy benefits in encouraging people onto mopeds, a net increase in road accident casualties would be the most likely result of any reduction in the licensing age, due to more people being on the roads on two-wheeled transport.

49 The Authority maintained whilst exact relationships between overseas statistics differ, it is clear that car drivers are at lower risk than riders of two-wheeled vehicles, with moped riders being at much lower risk than motorcyclists, but at higher risk than pedal cyclists.

50 The Authority prepared an analysis for the Committee which examined the likely effects on total accidents of allowing moped licences at age 16. The estimates were based on an assumption favourable to mopeds, that moped riders transferring to motorcycles at age 18 will show the same lower accident rates as motorcyclists with two years riding experience. A copy of this analysis appears as Appendix "E" to this report.

51 The Authority pointed out the analysis only considers the case when moped riders at age 16 are drawn entirely from bicycle riders, which is more favourable to mopeds than if some moped riders came from the safer forms of transport such as passengers in cars or public transport.

52 Nevertheless, despite these two assumptions favourable to mopeds, the analysis estimates that allowing a moped licensing age of 16 would result in a net increase in casualties of 13 per cent. The results are summarised below :-

EXPECTED NUMBER OF CASUALTY ACCIDENTS PER 10,000  
ROAD USERS FOR ALTERNATIVE LICENSING SCHEMES

AGE	OPTION A MOPED LICENCE AGE 18 YRS.	OPTION B MOPED LICENCE AGE 16 YRS.	PERCENT ACCIDENT CHANGE UNDER B
16 yrs.	137	192	+ 40%
17 yrs.	137	158	+ 15%
18 yrs.	194	197	+ 2%
19 yrs.	179	185	+ 3%
TOTAL :	647	732	+ 13%

53 Based on the assumptions used in the analysis, the Authority submitted it is clear that the benefits gained by allowing potential motorcyclists to gain experience on less dangerous mopeds from age 16 onwards are more than offset by the increased exposure to risk of accidents of such 16 and 17 year olds. Also, more people are encouraged to ride the more dangerous two-wheeled vehicles, as an alternative to



using the relatively safer car and public transport modes.

54 The Committee has given careful consideration to the question of whether there should be a reduction in the licence age for moped riders, so that potential motorcyclists can gain experience on less dangerous mopeds. However, it firmly believes that any possible reduction in motorcycle accidents due to benefits gained would be more than outnumbered by an increase in accidents involving 15, 16 and 17 year old moped riders. Accordingly, the Committee recommends that there be no reduction in the licence age for moped riders.

#### LICENCE TESTS

55 During the course of this Inquiry there were three alternatives submitted to the Committee regarding the type of licence a moped rider should hold. The alternatives considered were as follows :-

- (a) a person who holds a motorcycle licence should be eligible to ride a moped; or
- (b) a moped only licence category should be introduced; or
- (c) a person who is the holder of a motor car licence should be eligible to ride a moped.

56 The majority of moped owners who replied to the Committee's questionnaire considered a special moped licence category should be introduced, because they felt the current need for a motorcycle licence deterred people from purchasing a moped. However, some owners maintained that any person who holds a motor car licence should automatically be able to ride a moped.

57 The Victoria Police maintained that mopeds are motorcycles and riders should be licensed in the same manner as motorcyclists. It was considered the current licence test for a motorcycle rider is not so difficult as to impose a problem for a moped rider.

58 The Police viewpoint was that the main emphasis for anyone using a vehicle on the roads is knowledge of road laws and to act responsibly. Under no circumstances could the Police support a reduction in the test of road knowledge.

59 The RACV and the Road Safety and Traffic Authority both submitted that moped riders should be treated no differently from motorcyclists with regard to licence testing.

60 The VACC was of the opinion that a person who is licensed to drive either a motorcycle or a motor car is already familiar with the rules of the road and capable of driving a much heavier and more dangerous machine. Accordingly the Chamber recommended that the possession of either licence should automatically cover mopeds. In line with the Chamber's earlier recommendation of licences at 15 years of age it maintained there should be provision for a separate licence confined to mopeds and obtainable at 15.

61 The Road Trauma Committee submitted that moped riders should have to undergo a test, but suggested motor car and motorcycle licence holders should be able to have their licences endorsed to cover mopeds. The Committee believed the moped test should concentrate primarily on the knowledge and understanding of road laws.

62 The Committee believes that the present law which enables any person who holds or obtains a motorcycle licence to ride a moped should be retained. If a rider can control a motorcycle then no difficulty should be experienced with a moped.

63 However, the Committee does not consider that an applicant for a licence to ride a moped should be required to qualify for a motorcycle licence. The Committee therefore recommends that a 'moped only' licence category be introduced at a substantially reduced licence fee. The Committee hopes that this reduced fee might encourage people to ride mopeds instead of motorcycles.

64 The Committee rejects the proposal that any person who holds a motor car licence should automatically be eligible to ride a moped. Whilst a person with a motor car licence should be familiar with the rules of the road, the Committee does not believe this gives the right to transfer to a higher injury risk form of transport without first submitting for a moped test. It therefore re-affirms its earlier recommendation that any potential moped rider must obtain either a moped or motorcycle licence.

## REGISTRATION FEES AND THIRD PARTY INSURANCE PREMIUMS

65 The current Victorian rates for registration and third party insurance on motorcycles are as follows :-

CATEGORY	<u>METROPOLITAN</u>			<u>COUNTRY</u>		
	REG.	3RD PARTY	TOTAL	REG.	3RD PARTY	TOTAL
Up to 300 c.c.	\$9.40	\$55.10	\$64.50	\$9.40	\$51.90	\$61.30
301 to 500 c.c.	9.40	65.20	74.60	9.40	62.10	71.50
501 and over	9.40	71.60	81.00	9.40	68.50	77.90
Agricultural	9.40	23.70	33.10	9.40	23.55	32.95

66 All relevant evidence submitted to the Committee favoured reduced registration and third party insurance rates for mopeds. It was considered that mopeds should be encouraged because of their low power and any cost reduction would be an extra incentive to purchase one. It was also contended that the present minimum category of up to 300 c.c. was unfair to moped riders whose machines only have a 50 c.c. engine capacity.

67 The Victorian Automobile Chamber of Commerce believes that the requirement for registration should be maintained, but not registration fees. The Chamber considers the fees are a disincentive for using mopeds and contribute a relatively small amount to State Revenue. It therefore concludes that registration fees should be abolished or substantially reduced for mopeds.

68 The VACC submitted that third party insurance should remain compulsory for mopeds, but premiums should be significantly reduced. This reduction should encourage the use of these safe and ecologically desirable machines. The Chamber also maintained a reduction was in order because mopeds have a very low potential to contribute to personal injury on the roads.

69 The VACC contended that the motorcycle category "up to 300 c.c." is far too wide and it is entirely invalid to equate a moped with a 250 c.c. motorcycle capable of carrying a pillion passenger at three times the maximum speed of a moped bearing just its rider.

70 The Road Trauma Committee also believed that registration fees and third party insurance rates should be reduced and should not be based on motorcycle costs, because of the light-weight and small power of the moped. It was contended that if mopeds were to be treated as motorcycles then there should be some adjustment between the 250 c.c. and the 50 c.c. motorcycles.

71 The RACV recommended the registration of mopeds to ensure that the requirements for vehicle design standards and safety are met. It was also submitted that third party insurance was essential for mopeds in order that financial protection can be provided for those injured in traffic accidents. However, the RACV did believe that the scale of fees charged in relation to these two areas appeared in need of review, having regard to the range of capacity up to 300 c.c. being the lowest category of motorcycle.

72 The Road Safety and Traffic Authority submitted that in order to encourage the use of mopeds rather than motorcycles, registration fees should be reduced. The Authority also considered that if, as expected, the accident record of mopeds is shown to be lower than that for motorcycles, third party insurance premiums should also be proportionately lowered.

73 It is evident to the Committee that if people can be encouraged to use mopeds instead of motorcycles, then a substantial reduction in accident casualties could result. One such method of encouragement is by reducing registration and third party insurance rates.

74 The present registration fee for a moped is \$9.40, which is not an excessive amount. However, the Committee believes there should be a special moped category introduced to distinguish mopeds from 100 to 300 c.c. engine capacity motorcycles.

75 The Committee believes mopeds must be registered, but recommends a reduction in the present fee.

76 At present in Victoria third party insurance premiums are lower for motorcycles than they are for motor cars and the Committee believes that this should be taken a step further by introducing a third party insurance premium for mopeds only.

77 Statistics from overseas countries indicate that moped riders pose less risk of injury to other road users than motorcyclists. Consequently the Committee supports the view that third party insurance premiums for mopeds should not be as high as those for motorcycles up to 300 c.c. engine capacity.

78 The Committee believes that mopeds should have reduced premiums, because they are only capable of a maximum design speed of 50 kilometres per hour and have a maximum weight of 60 kilograms. In addition moped riders should not be permitted to carry pillion passengers. The Committee therefore recommends that reduced third party insurance premiums be introduced for mopeds.

## HELMETS

79 Moped riders in many overseas countries are not required to wear crash helmets, but the Committee has found it extremely difficult to find any technical evidence for opposing the use of helmets. The majority of evidence submitted to the Committee considered that the compulsory wearing of safety helmets which is required for motorcyclists should automatically apply to moped riders. Some evidence was of the opinion that a cyclist's skull cap was sufficient protection for moped riders, as the ordinary motorcycle helmet was too cumbersome.

80 The Institute for Road Safety Research (SWOV) in the Netherlands which conducted a study in 1975 entitled "Crash Helmets for Moped Riders" found that moped accidents resulted in a high proportion of head injuries. In 1966 in the Netherlands 80 per cent of all moped fatalities were the result of head injuries. The wearing of crash helmets for moped riders in the Netherlands became compulsory on 1 February 1975 as a result of this SWOV study.

81 SWOV revealed that American researchers had found that after the wearing of crash helmets had been made compulsory for motorcyclists in their country, the total number of motorcycle accidents resulting in fatalities decreased by 21 per cent and the number of injury accidents by 34 per cent.

82 The most important functional requirement of a crash helmet is to offer maximum protection against injury in an accident and as the risk of death and injury is so much higher for two-wheel vehicles than other forms of transport the Committee therefore recommends that moped riders be compulsorily required to wear crash helmets.

## FREEWAYS AND BICYCLE PATHS

83 Evidence received by the Committee from all sources rejected the use of mopeds on freeways. It was considered that any large increase in the number of mopeds operating on existing public freeways where separate tracks are not provided would present a serious restriction to the flow of traffic and a danger to moped riders as a result of the extremely wide speed variations between the different forms of transport.

84 Some evidence received by the Committee suggested that mopeds could quite easily mix with bicycle traffic. However, the majority of the evidence opposed the idea of mopeds using bicycle paths on the grounds that they presented a danger to bicycle riders.

85 The Committee believes mopeds would be extremely vulnerable on freeways, due to their small size and low speed relative to other traffic. In addition they would cause a severe restriction to the flow of traffic, particularly in peak hour.

86 The idea of mopeds using bicycle paths is not favoured by the Committee, due to the fact that the present bicycle paths were not designed with mopeds in mind and any mixing of the two modes of transport would only increase the accident risk of cyclists. Accordingly, the Committee recommends that mopeds be prohibited on both freeways and bicycle paths.

#### PILLION PASSENGERS

87 Information obtained from European countries revealed that many of them allowed moped riders to carry pillion passengers. However, the majority of the evidence submitted to the Committee was opposed to this practice being introduced in Australia.

88 The RACV opposed the carriage of pillion passengers on mopeds as a precaution against difficulty in handling a moped by a rider and the possible reduction in the power/weight ratio to unsafe levels. The Road Trauma Committee and the Victoria Police were both opposed to the carrying of pillion passengers on safety grounds.

89 The Committee accepts this view and believes that the carriage of pillion passengers would result in an increase in casualty accidents. It therefore recommends that moped riders be prohibited from carrying pillion passengers.

#### CONCLUSIONS AND RECOMMENDATIONS

90 Mopeds have been popular in Europe ever since World War II and the statistical evidence obtained by the Committee has revealed that they have compiled a safety record considerably better than motorcycles, but worse than bicycles and motor cars.

91 The Committee recognises that mopeds are an inexpensive form of personal transport and would assist the conservation of fuel resources. However, the prime concern of this Committee at all times is finding ways to reduce the total number of road accident casualties which occur in Victoria each year. Consequently, the Committee will only recommend action that will further contribute to a reduction in these casualties.

92 Research has confirmed that mopeds are the second most dangerous form of road transport. Their casualty rate is only exceeded by that of motorcycles. The Committee therefore cannot encourage the mass introduction of mopeds into Victoria through a reduction in the licence age. It believes any action which results in increased use of mopeds instead of statistically safer means of transport, such as motor cars, bicycles or public transport will only result in an increase in road accident casualties.

93 The Committee has always been concerned at the great number of motorcycle fatalities and injuries which occur each year. It is clear from accident statistics that substantial road safety benefits could be expected if large numbers of present and potential motorcycle riders transferred to mopeds. The Committee therefore recommends that certain incentives, namely reduced licence and registration fees and third party insurance premiums, should be given to encourage people to use mopeds instead of motorcycles.

94 The Committee recommends that :-

- (a) the definition on moped being proposed by the Advisory Committee on Road User Performance and Traffic Codes be adopted in Victoria, namely :-

*'Moped' means a motor vehicle with 2 or 3 wheels and an engine with a swept volume not exceeding 50 ml., having a maximum power output not exceeding 1.5 Kw, with a maximum design speed of no more than 50 KM/H with a tare mass excluding fuel of not more than 60 kg with automatic transmission, and no provision for manual selection of gears. ;*

- (b) there be no reduction in the current licence age for moped riders;
- (c) a person who holds a motorcycle licence should automatically be eligible to ride a moped;
- (d) a "moped only" licence category be introduced at a substantially lower fee than that for a motorcycle licence;
- (e) registration fees for mopeds be reduced;
- (f) third party insurance premiums for mopeds be reduced in line with the small engine capacity of the moped;

- (g) moped riders be required to wear approved crash helmets at all times;
- (h) mopeds be prohibited on freeways and bicycle paths; and
- (i) moped riders be prohibited from carrying pillion passengers.

Committee Room,  
25 October 1979.



APPENDIX "A"

List of Witnesses

- Mr. B.J. Dooley, Deputy Chairman, Road Trauma Committee,  
Royal Australasian College of Surgeons.
- Mr. H.J. Lander, Member, Road Trauma Committee, Royal  
Australasian College of Surgeons.
- Mr. J.E. Collins, Executive Director, Victorian Automobile  
Chamber of Commerce.
- Mr. M. Quincey, President, Motorcycle Division, Victorian  
Automobile Chamber of Commerce.
- Mr. A. Millege, Victorian Automobile Chamber of Commerce.
- Mr. J. Darley, Assistant Commissioner of Police (Traffic),  
Victoria Police.
- Dr. M.R. Wigan, Principal Research Scientist, Australian  
Road Research Board.
- Dr. A.P. Vulcan, Chairman, Road Safety and Traffic Authority.

APPENDIX "B"

List of Authorities and Organizations consulted by the Committee

- National Safety Council of Western Australia Incorporated.
- Queensland Road Safety Council.
- Division of Road Safety, Tasmania Police.
- The Road Safety Council of South Australia.
- Motor Registration Division, Department of Transport, South  
Australia.
- Road Traffic Board, South Australia.
- Road Safety Council of the Northern Territory.
- Department of Motor Transport, New South Wales.

## APPENDIX "C"

List of Submissions

Victorian Automobile Chamber of Commerce.

Road Trauma Committee, Royal Australasian College of Surgeons.

Royal Automobile Club of Victoria.

Motor Accidents Board.

Stanco Pty. Ltd.

Road Safety and Traffic Authority.

Australian Road Research Board.

Bicycle Institute of Victoria.

Mr. L. Blair, Corio.

Ms. B.J. Bouchier, Oak Park.

Mr. G. Chrissouelonis, Newport.

Mr. M.A. Collins, Lara Lake.

Mr. H.C. Curwen-Walker, Essendon.

Ms. J. Gulbin-Wood, East Brighton.

Mr. G.M. James, Elwood.

Mr. R. Luke, Mentone.

Mr.G. and Mrs. C. McMullen, Briar Hill.

Dr. M.C. Menelaus, Armadale.

Mr. D.R. Murray, Marino, South Australia.

Dr. L.D. Renouf, South Geelong.

Mr. P.S. Rogers, Bentleigh.

Mr. M. Scott, North Ballarat.

Mrs. H. Stadler, East Ivanhoe.

APPENDIX "D"

References consulted by the Committee

- M.R. Wigan, Australian Road Research Board - Motorcycle Safety - A review of information gathered from Overseas, January, 1978.
- M.R. Wigan, Australian Road Research Board - Internal Report - Mopeds - Towards an Australian Definition.
- M.R. Wigan, Australian Road Research Board - Internal Report - Mopeds in Australia.
- M.R. Wigan, Australian Road Research Board - Motorcycles and Safety Symposium - User Issues in Motorcycle Safety.
- Institute for Road Safety Research, SWOV, The Netherlands - Crash Helmets for Moped Riders.
- Institute for Road Safety Research, SWOV, The Netherlands - SWOV in 1976 and 1977.
- Institute for Road Safety Research, SWOV, The Netherlands - Pedestrians, Two Wheelers and Road Safety.
- Institute for Road Safety Research, SWOV, The Netherlands - Ten Years Road Safety in the Netherlands - 1978.
- Mr. J. Volmuller, Delft University of Technology, The Netherlands - (Bicycle, Moped and Light Weight Motorcycle Traffic - Safety and Capacity) - Traffic Engineering Design of Bicycle Facilities.
- B Beukers, Director, Transportation and Traffic Engineering Division, Ministry of Transport and Public Works, The Netherlands - Bicycles and Mopeds as Alternative Modes of Transportation.
- H.K. Hansen, Danish Road Directorate, Secretariat for Safety Road Improvements, Denmark - Bicycle, Moped and Light Weight Motorcycle Traffic - Safety and Capacity.
- House of Representatives, Standing Committee on Road Safety Report on Bicycle and Motorcycle Safety.
- OECD Report - Safety on Two Wheelers - Extract.
- Traffic Safety - The Moped and the Traffic Mix.

## APPENDIX "D" (cont'd.)

Royal Automobile Club of Victoria - Royalauto - November, 1978 -  
The Moped has considerable advantages - but at the same time  
it presents problems.

Police Association of Victoria Journal, February, 1979 -  
Safety on Two Wheels.

Motorized Bicycle Legislation in the United States of America.

Legislation on Mopeds - United Kingdom - 1/10/1976.

MOPED ACCIDENT MODEL

A simple model has been developed, the purpose of which is to estimate the casualty accident involvement for two alternative moped licensing schemes: licensing at 16 and 18 years of age, respectively. The calculations entail estimating the yearly accident involvement of 10,000 road users from 16 to 19 years of age.

It should be noted that it would be preferable to make estimations based on number of accidents per million vehicle-kilometres as this makes allowance for different levels of exposure to risk. However, this measure was not able to be computed for the different age groups involved. Accordingly, a measure based on accidents per 1,000 road users was adopted.

Figures 1 and 2 present diagrammatically the modal split assumed for each group together with the estimated casualty accident involvement rate and the corresponding number of casualty accidents expected.

The model is based upon two assumptions favouring mopeds:

- (i) Moped riders experience a diminishing risk of casualty accident involvement similar to that of motorcyclists as on-road experience increases and this lower accident risk will apply even if they transfer to motorcycles.
- (ii) Some 20% of bicyclists are attracted to mopeds but none from other road user groups. The population of bicyclists aged 16 to 17 years experience a relatively high risk of accident involvement compared with other road user groups.

The model also assumes that of the 2,000 moped riders (in Option B), at age 18 400 will transfer to motorcycles, 1,200 to cars and 400 will continue to ride mopeds. Similarly, at age 18 it is assumed that of 8,000 bicycle riders, 240 transfer to mopeds and 240 to motorcycles. This means that in the 3rd year of Option B there are 640 motorcyclists and 640 moped riders compared with only 300 motorcyclists and 300 moped riders for the 3rd year of Option A.

However, even under the most favourable assumption for mopeds, namely, that at age 18 there is no increase in motorcycle or moped use when compared with Option A, there is still a 7.5% increase in casualty accidents. This is illustrated in Figure 3 as Option C.

In determining casualty accident involvement rates to be used in the calculations, the principal assumptions made were:

- a) In Victoria, of new motorcycle licences issued each year, 50% are taken out by persons aged 18 or 19 years - equal numbers for each age group.

This applied to Victorian accident data resulted in casualty accident rates for motorcyclists as follows:

1st year (18 year old)	82.2 casualty accidents/ 1,000 riders
2nd year (19 year old)	48.5 casualty accidents/ 1,000 riders
3rd year and later years	36.1 casualty accidents/ 1,000 riders

- b) Casualty accident involvement rates for motorcycles, mopeds and bicycles are approximately in the ratio of 6 : 3: 1. This ratio was estimated from a review of the literature.

Hence the casualty accident rates assumed for mopeds were half of those for motorcyclists as follows:

1st year	41.1 casualty accidents/1,000 riders
2nd year	24.2 " " "
3rd year and later years	18.1 " " "

The rates assumed for bicyclists were one-sixth that for 1st year motorcyclists, namely 13.7 casualty accidents/1,000 riders, irrespective of number of years experience. It would appear that a bicycle accident rate derived in this manner is higher than the actual rate in Victoria and this assumption too favours the moped.

FIGURE 1

Option A  
Moped Licence - Age - 18 Years

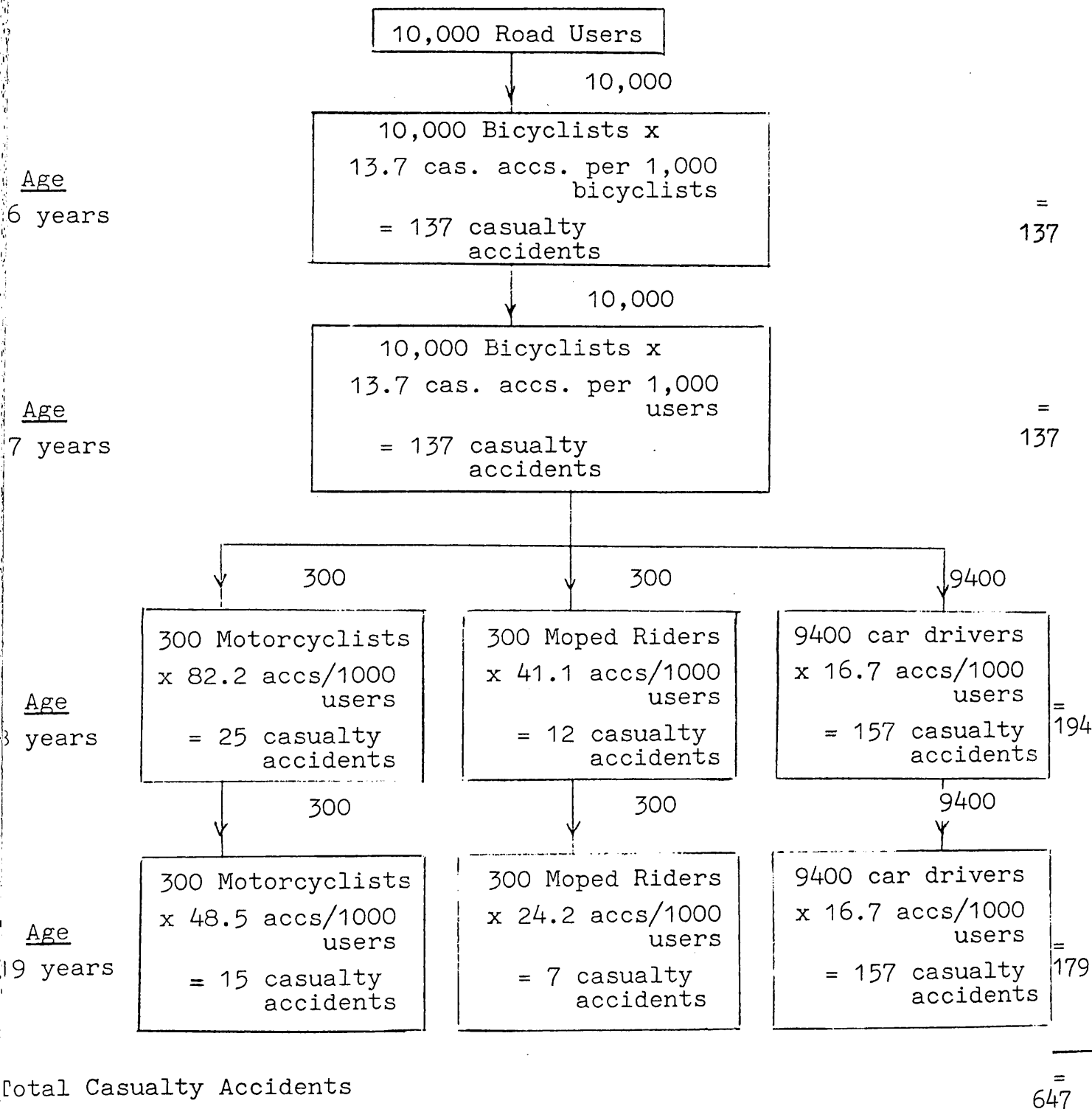


FIGURE 2

Option B

Moped Licence - Age - 16 Years

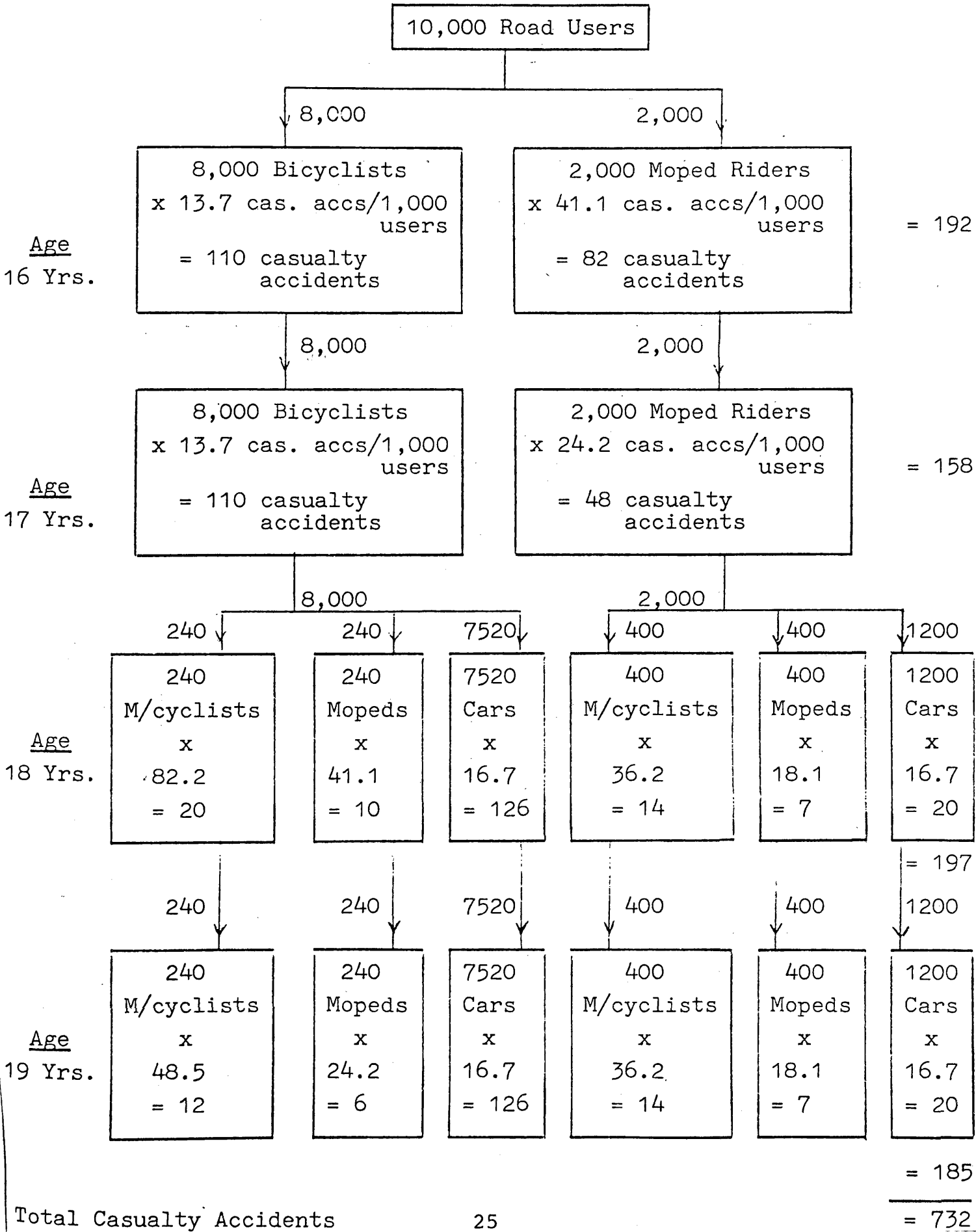
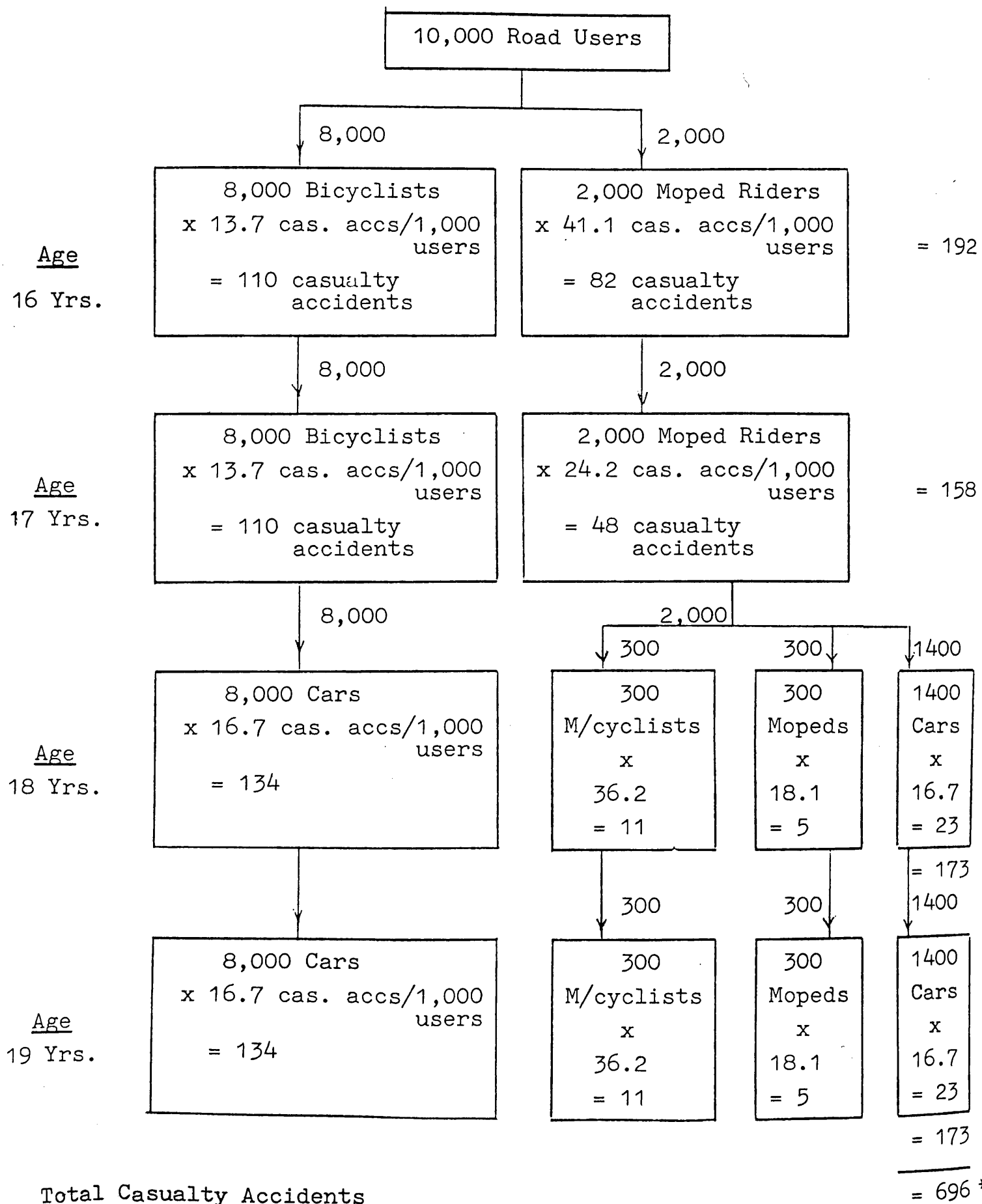




FIGURE 3

Option C

Moped Licence - Age - 16 Years



\* This result of 696 is a 7.5% increase over the 647 of Option A.

SELECT COMMITTEE OF THE LEGISLATIVE COUNCIL  
ON ALLEGATIONS MADE IN DEBATE

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REPORT UPON

THE TRUTH OF AND JUSTIFICATION FOR

ALLEGATIONS MADE BY THE HON. D.R. WHITE

AGAINST MR. G.H. ROBERTSON, A MEMBER OF

THE VICTORIAN DEVELOPMENT CORPORATION.

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*Ordered to be printed*

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EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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WEDNESDAY, 31 OCTOBER 1979

- 3 ALLEGATIONS MADE IN DEBATE - The Honorable A. J. Hunt moved, by leave, That a Select Committee of five Members be appointed to inquire into and report upon the truth and justification or otherwise of and for the allegations made by the Honorable D. R. White during debate in this House on 26 September 1979 and in a personal explanation on 30 October 1979 against Mr G. Robertson of the Victorian Development Corporation; the Committee to have power to send for persons, papers and records; three to be the quorum.

Question - put and resolved in the affirmative.

The Honorable A. J. Hunt moved, by leave, That the Council proceed to the appointment of the members of the committee on the next day of meeting.

Question - put and resolved in the affirmative.

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TUESDAY, 13 NOVEMBER 1979

- 11 SELECT COMMITTEE - ALLEGATIONS MADE IN DEBATE - The Honorable A. J. Hunt moved, by leave, That the Honorables W. R. Baxter, B. A. Chamberlain, W. A. Landeryou, R. J. Long and E. H. Walker be members of the Select Committee to inquire into and report upon the truth and justification or otherwise of and for the allegations made by the Honorable D. R. White during debate in this House on 26 September 1979 and in a personal explanation on 30 October 1979 against Mr G. Robertson of the Victorian Development Corporation.

Question - put and resolved in the affirmative.

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TUESDAY, 27 NOVEMBER 1979

6 SELECT COMMITTEE ON ALLEGATIONS AGAINST MEMBER OF VICTORIAN DEVELOPMENT CORPORATION - SUSPENSION OF STANDING ORDER NO. 207 - The Honorable B. A. Chamberlain moved, by leave, That Standing Order No. 207 be suspended in respect of the Select Committee appointed to investigate allegations made in debate by the Honorable D. R. White against Mr G. Robertson, of the Victorian Development Corporation, insofar as necessary to allow -

- (a) publication of fair and accurate reports of evidence given by witnesses examined at public hearings; and
- (b) the release of evidence and other documents to prospective witnesses at the discretion of the Committee.

Question - put and resolved in the affirmative.

REPORT

The Select Committee of the Legislative Council upon allegations made in debate by the Hon. D.R. White against a Member of the Victorian Development Corporation has the honor to report as follows:

1 On 31 October 1979, the Legislative Council resolved to appoint a Select Committee of five Members to inquire into and report upon the truth and justification or otherwise of and for the allegations made in the House by the Hon. D.R. White, M.L.C., on 26 September 1979 and 30 October 1979 against Mr. G. Robertson, of the Victorian Development Corporation.

On 13 November 1979, the Honorables W.R. Baxter, B.A. Chamberlain, W.A. Landeryou, R.J. Long and E.H. Walker were appointed Members of the Committee.

2 The allegations forming the basis of the Committee's Inquiry were made in debate upon a substantive motion moved by the Hon. D.R. White on 26 September 1979. The motion asked the House to recommend to His Excellency the Governor in Council that all aspects of the operation of the State Development Department, including the Victorian Government Travel Authority and the Victorian Development Corporation, be the subject of a priority investigation by the State Development Committee.

3 During the course of his speech, the mover referred to a press advertisement which was published in daily newspapers on 10 May 1973 under the auspices of the Division of Industrial Development - a division of the then Department of State Development. The advertisement (reproduced as Appendix "A") featured a photograph of Mr. Geoff Robertson, Managing Director of Freighter Franklin Ltd., a company therein described as "one of the 850 prosperous decentralized industries in country Victoria". After recording part of Mr. Robertson's business background in the Ballarat area, the advertisement continued:

.....because of substantial backing by the Victorian Government, a new \$1.2 million factory will be added to the already huge caravan factory where Freighter Franklin will commence manufacture of the famous Freighter Trailers.....

4 Continuing his speech, the Hon. Mr. White stated that, according to the Annual Report of the Division of Industrial Development for 1973, at paragraph 9, a new Victorian Development Corporation was then proposed to be set up for the purpose of assisting, together with local government, in the establishment of decentralized industry through the development of industrial estates, and the provision of land and buildings suited to the particular needs of an industry.

5 The Victorian Development Corporation was constituted by the Victorian Development Corporation Act 1973 (No. 8428), which was assented to by His Excellency the Governor on 17 April 1973 and proclaimed to operate from 8 May 1973. The five Members of the new Corporation, of whom Mr. Robertson was one, were appointed on 8 May 1973 and the body held its first meeting on 24 May 1973.

6 The Hon. Mr. White asserted that "there had been a conflict of interest in the activities of Mr. Robertson as a member of the board of that corporation in that he was a beneficiary of a loan from the corporation while he was still actively involved in a business that received financial assistance".(1)

7 The House was told that the question was taken up, in conjunction with the Leader of the Opposition, Mr. Wilkes, with the Chairman of the Corporation. On 26 July 1979, following his investigation of the allegation as to conflict of interest, the Chairman, Mr. J.C. Banks, informed the Leader of the Opposition in writing that the Corporation had had no dealings with the Franklin Division until April 1976, and with the Freighters Division until January 1977, some three years after the group's decentralization move to Ballarat and "long after Mr. Robertson had ceased to have any pecuniary interest or participation in the group's activities".(1)

8 Having quoted the reply from the Chairman stating that the records revealed no conflict of interest on the part of Mr. Robertson as to dealings between the Corporation and the ESCOR-Freighter-Franklin group, the Hon. Mr. White, in the course of his speech to the House, repeated the substance of his previous allegations in various forms as expressed in Hansard, 1979, pages 2843 to 3860.

9 The Hon. Mr. White's motion was defeated in the Legislative Council on 26 September 1979, and the subject-matter of Mr. Robertson's alleged conflict of interest was not adverted to in the House again until Tuesday, 30 October 1979,

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(1) Hansard 26 September 1979, p. 2844.

when it was raised by the Hon. Clive Bubb in a question to the Minister for Local Government. The Hansard report of the relevant portion of those proceedings is as follows:

The Hon. CLIVE BUBB (*Ballarat Province*) - I direct a question to the Minister for Local Government as the representative of the Minister for State Development Decentralization and Tourism. Is the Minister aware that, on 26 September 1979 in this House, Mr. White made statements concerning a Ballarat businessman and that these statements were largely rebutted in a letter over the signature of Mr. John Banks, the Chairman of the Victorian Development Corporation, which appeared in the *Age* on 1 October 1979? I believe Mr. White deliberately attempted to mislead the House.

.....

The Hon. D.R. WHITE (*Doutta Galla Province*) - Mr. President, I take exception to the remarks made by Mr. Bubb. He indicated that, in his view, I had attempted to deliberately mislead the House. If Mr. Bubb had been present during the course of the debate, he would have noted that I made a substantial point during the argument which was not adequately rebutted in the *Age* by Mr. Banks; and I take exception to the remarks made by the honorable member.

The PRESIDENT - The words used have been objected to and I call on Mr. Bubb to withdraw them.

The Hon. CLIVE BUBB (*Ballarat Province*) - I withdraw those words and seek to rephrase my question. I ask the Minister to comment on the letter to the *Age* over the signature of Mr. John Banks.

The Hon. D.G. CROZIER (Minister for Local Government) - I am aware of the letter which Mr. Banks wrote rebutting the allegations made in this House by Mr. White on 26 September last. Whether Mr. White deliberately misled the House, I do not know. That he misled the House is, in my opinion, patently obvious. On that occasion Mr. White, not untypically, used the privileges of this House to impugn the reputation of a highly respected citizen of Ballarat, a valued member of the board of the Victorian Development Corporation, by alleging that in 1973, when Mr. Robertson was both a member of the board of the Victorian Development Corporation and the Managing Director of Freighter Franklin Ltd., that company obtained a substantial loan from the Victorian Development Corporation.

The facts are as pointed out in his letter, that Mr. Robertson was not the managing director of Freighter Franklin Ltd. when that company received its loan from the Victorian Development



Corporation in 1976. Most significantly, Mr. White apparently knew of this when he made his statement to the House. Mr. Banks says in his letter:

Mr. White had previously made the same allegation to me of conflict of interest on Mr. Robertson's part and was formally advised through the Leader of the Opposition, Mr. Wilkes, that the allegation was without foundation.

I suggest to the House that that is a very mild response. Mr. White's remarks were totally reprehensible and, if Mr. White had any decency at all, he would formally apologize to Mr. Robertson. The most charitable construction I can put on this totally disreputable episode -

Honorable members interjecting.

The PRESIDENT (the Hon. F.S. Grimwade) - Order! This is quite unnecessary.

The Hon. D.G. CROZIER - I suggest that this whole sorry episode is entirely unnecessary and reflects no credit on the standing of this Parliament. The most charitable construction I can put on this whole sorry affair is that the communication between the honorable Mr. White and his Leader has totally broken down. There are less charitable explanations.<sup>(2)</sup>

10 Later that same day, the Hon. Mr. White made a Personal Explanation to the House regarding the events which took place at Question Time, and reiterated his allegations once more. He said:

I wish to make a personal explanation to the House. Earlier in the day, the Minister for Local Government, Mr. Crozier, stated that I had in some way misled the House by not properly taking into account communications between Mr. Banks, Chairman of the Victorian Development Corporation, and the Leader of the Opposition in another place, Mr. Wilkes. I draw the attention of the House to the fact that on 26 September 1979, the beginning of that debate, I read into Hansard - it appears at page 2844 - the relevant correspondence from the Chairman of the Victorian Development Corporation to the Leader of the Opposition, Mr. Wilkes, and that became the forerunner to the debate. The debate was conducted in the context

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(2) Hansard 30 October 1979 pp. 3819-20.

of that letter which failed to answer the substantial matter that I raised, namely, that Mr. Robertson's name appeared in the advertisement of 10 May 1973 which was inserted in all of the metropolitan newspapers by the Division of Industrial Development, stating that he was a beneficiary of a loan of \$1.2 million at a time when he was a member of the Victorian Development Corporation and chairman of the company which benefited from the loan. I stand by the facts. By what he did Mr. Robertson committed a serious offence and ought to be in gaol. Mr. Banks and Mr. Hamer, the Minister, have been part of a cover-up after the facts.(3)

For the purposes of this Inquiry, the Committee disregarded the Hon. Mr. White's comment as to penalty, treating it as a purely personal opinion.

11 The Committee began its investigation on 14 November 1979 and, during the course of the Inquiry, received sworn evidence from the following witnesses:

The Hon. D.R. White, M.L.C. ;  
 Mr. G.H. Robertson, Member, Victorian  
 Development Corporation;  
 Mr. J.C. Banks, Chairman, Victorian  
 Development Corporation; and  
 Mr. I.K. Morton, Chairman, Rural Finance  
 Commission.

The Minutes of Evidence are appended to this Report.(4)

12 Following an examination of the Hansard reports, the Committee summarized the allegations of the Hon. D.R. White as follows, in order to have a convenient basis upon which to pursue its inquiries:

That there has been a conflict of interest on the part of Mr. G. Robertson, a Member of the Victorian Development Corporation, in that while he was Managing Director of Freighter-Franklin Ltd., his company was the beneficiary of a loan from the Corporation, evidence of which was to be found in advertisements appearing under the auspices of the Division of Industrial Development in metropolitan newspapers on 10 May 1973.

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(3) Hansard 30 October 1979 p. 3830.

(4) *Minutes of Evidence not printed.*

13 The Hon. Mr. White informed the Committee that to the best of his knowledge and belief the report of his speech commencing on page 2843 and concluding on page 2860 of the proof edition of Hansard of Wednesday, 26 September 1979, and the personal explanation appearing on page 3830 of Hansard of Tuesday, 30 October 1979 was a fair and accurate record of the speeches he made on those days. In his evidence to the Committee on 21 November 1979, the Hon. Mr. White accepted that the summary of his allegations appearing in paragraph 12 of this Report was a fair one.

14 The Hon. D.R. White indicated that while acting as Research Officer for the Leader of the Opposition he rang Mr. Robertson on 10 May 1973, shortly after the advertisement appeared. He asked him whether he was Mr. Geoff Robertson, the Managing Director of Freighter Franklin. He said he was. The Hon. Mr. White asked him whether he was the Geoff Robertson who was a member of the Victorian Development Corporation. He indicated that he was and the Hon. Mr. White then asked whether his company had benefited from a loan from the Victorian Development Corporation and, if so, did he realise this was a conflict of interest. Mr. Robertson replied to the effect "What has this got to do with you?".

15 The Hon. Mr. White also told the Committee (although he did not tell the House) that it was his impression that what transpired following the telephone conversation and discussions which took place between the Hon. Murray Byrne and the then Leader of the Opposition (Mr. Clyde Holding) is that the Minister (Mr. Byrne) expressed concern about the political capital that the Opposition might be able to make out of the issue in view of the impending election on 19 May 1973, and that steps were taken to transfer the loan from the Victorian Development Corporation to the Rural Finance and Settlement Commission.

16 When the Hon. Mr. White was asked whether he had any evidence to support this impression he stated that he relied on the advertisement of 10 May which indicated Mr. Robertson's company would benefit from a loan from the Victorian Development Corporation.

17 The Hon. Mr. White indicated to the Committee that although in his personal explanation of 30 October 1979 he stated that Mr. Robertson was a beneficiary of a loan of \$1.2 million, he should have said he was the beneficiary of a substantial loan.

18 He further reiterated his statement in the House:

I am endeavouring to demonstrate that the only body which could possibly have given this loan to Mr. Robertson and Freighter Franklin Ltd. within the

Division of Industrial Development was the Victorian Development Corporation.(5)

19 The Hon. Mr. White informed the Committee of his belief that the advertisement of 10 May 1973 clearly indicated that a substantial loan would be made to Freighter Franklin Ltd., and that as the advertisement had been placed by the Division of Industrial Development, this indicated that the loan would come from the newly formed Victorian Development Corporation which was closely associated with the Division of Industrial Development.

20 The Hon. Mr. White produced to the Committee a photocopy of Crown Grant Volume 8941 Folio 712 in the name (in 1973) of Franklin Caravans Australia Pty. Ltd. relating to the Ballarat factory premises. This Title showed a mortgage to Rural Finance and Settlement Commission registered on 2 November 1973.

21 Although the newspaper advertisement appeared on 10 May 1973 - two days after the members of the Victorian Development Corporation were appointed - and the first meeting of the Corporation only took place on 24 May 1973, the Hon. Mr. White told the Committee that he did not seek to explain how the Board of the Corporation could have approved such a loan -

except to say that the presence of the advertisements in the newspapers on 10 May indicates to me that Mr. Robertson was to be the beneficiary of a loan, that it was to come from the Victorian Development Corporation and that before the advertisement could be placed in any of the daily newspapers it had to be approved. Therefore, it was an approved loan coming from the Victorian Development Corporation and the advertisements were placed by the Division of Industrial Development which was responsible for examining applications for people who wish to decentralize. As a result of having looked at those applications, the Victorian Development Corporation, by some means unknown to me at this stage, approved the loan to Freighter-Franklin and, as a result, the advertisements were placed in the newspapers.

22 When asked when he obtained copies of the Title referred to in paragraph 18, which recorded the mortgage to Rural Finance and Settlement Commission of November 1973, the Hon. Mr. White replied:

.....I have had access to that information for a while. It was not necessary for me to use them on 26 September  
.....I saw no reason at the time to use them in the course of the debate of 26 September.....

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(5) Hansard 26 September 1979 p. 2845.

23 When asked why he did not give this information to the House on 26 September the Hon. Mr. White said the government would have used that information to dismiss his claim of conflict of interest out of hand.

24 Mr. J.C. Banks, Chairman of the Victorian Development Corporation, drew the Committee's attention to the following Question on Notice in the Legislative Council on 25 September 1973:

FREIGHTER FRANKLIN LTD.

The Hon. I.B. Trayling (Melbourne Province) asked the Minister for State Development and Decentralization -

(a) What was the specific nature and extent of the assistance recently received by Freighter Franklin Ltd., Ballarat, from the Division of Industrial Development, and when was the assistance granted?

(b) Is Eastralian Securities Ltd., which took over control of Freighter Franklin Ltd. in 1971, a wholly-owned Australian company; if not, at the time the Division of Industrial Development granted assistance to Freighter Franklin Ltd., what was the percentage of Australian equity in Eastralian Securities Ltd.?

(c) Will he ascertain and inform the House - (i) was Mr. Geoffrey Harold Robertson managing director of Freighter Franklin Ltd. when that company received assistance; (ii) did Mr. Robertson retain any financial interest in Freighter Franklin Ltd. after 1971; (iii) is Mr. Robertson still managing director of Freighter Franklin Ltd. and, if not, when did he resign; and (iv) when was Mr. Robertson appointed to the Victorian Development Corporation?

The Hon. MURRAY BYRNE (Minister for State Development and Decentralization). - The answer is -

(a) On 14th August, 1973 my Division of Industrial Development sponsored an application from the company to the Department of Crown Lands and Survey for an additional area of approximately 20 acres of Crown land for further expansion.

(b) No. 30 per cent.

(c) (i) Yes.

(ii) Yes.

(iii) No. 24th August, 1973.

(iv) 8th May, 1973.

(d) For the information of the honorable member, Freighter Franklin Ltd. was recently granted a loan by the Rural Finance and Settlement Commission to erect a factory at Ballarat. (6)

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(6) Hansard 25 September 1973 pp. 479-480.

25 Mr. Geoffrey Harold Robertson informed the Committee that sometime late in 1972, as Managing Director of Freighter Franklin Ltd., he approached the Hon. Murray Byrne to see if Government assistance could be forthcoming to enable Freighter Industries - a subsidiary of Escor Ltd., which owned Franklin Caravans - to transfer its factory from Moorabbin to Ballarat.

26 On 21 December 1972 Mr. B.N. Rowe, a Director of Freighter Franklin Ltd., wrote to the Hon. Murray Byrne referring to the discussions between Mr. Robertson and the Minister. The letter sought a meeting with the Minister and his department early in 1973 to discuss the company's transfer to Ballarat, where they hoped to establish a new factory employing 600 people.

27 Mr. Robertson informed the Committee that sometime after approaching the Minister on behalf of Freighter Franklin Ltd. he was asked by the Minister whether he was interested in joining the Board of the proposed Victorian Development Corporation.

28 The Committee found Mr. Robertson's evidence to be both confusing and conflicting, and therefore could not rely upon it. However, in fairness to Mr. Robertson, the Committee feels that he did not appreciate the purpose, powers and functions of the Committee fully. In future Inquiries of this nature, therefore, the Committee believes that, as a matter of course, all notices to witnesses should clearly set out the powers of the Committee to require the attendance of witnesses, to call for papers, to require evidence under oath or affirmation, and the powers available to enforce such requests.

29 A report in the Department of State Development by a Mr. McCormack dated 2 March 1973 outlined the Freighter Industries proposal and recommended a loan of \$800 000 and a grant of \$15 300 for transfer of plant, and land owned by the Housing Commission to be sold to the company at current valuation.

30 On 21 March 1973 the Minister (Mr. Byrne) congratulated Mr. Robertson by telegram on the "new industry for Ballarat". The telegram was in the following terms:

MR G ROBERTSON  
FREIGHTER FRANKLIN LEARMONTH RD  
WENDOUREE VIC

CONGRATULATIONS ON NEW INDUSTRY FOR BALLARAT  
THANKS TO YOU FOR YOUR SUPPORT AND BEST WISHES  
FOR EVERY SUCCESS IN THIS IMPORTANT VENTURE.

MURRAY BYRNE MINISTER FOR DECENTRALIZATION.

31 On the same day the Minister issued a press statement regarding the decision of Freighter Franklin Ltd. to establish a new \$1.5 million factory at Ballarat (reproduced as Appendix "B").

32 The statement referred to State government assistance to the Company in the form of payroll tax exemption, assistance in training staff and "other aspects of our dynamic 10 point decentralization plan".

33 The statement quoted Mr. Robertson as follows:

Apart from the benefits of payroll tax exemption, Freighter Franklin is hopeful that the Government will assist with the provision of finance and housing facilities.

34 Debate on the Victorian Development Corporation Bill concluded on 12 April 1973 when it passed all stages in the Legislative Council. The Act was assented to on 17 April 1973 and proclaimed to operate from 8 May 1973.

35 By a letter dated 19 April 1973 the Minister (the Hon. Murray Byrne) informed Mr. Rowe (Director of Freighter Franklin Ltd.) that he would be recommending to the new Victorian Development Corporation that the Company be offered a loan of \$800,000 towards the cost of the Company's new factory at Ballarat. Evidence was given by Mr. I.K. Morton that, on the file of the Department of State Development, there appears a memorandum dated 19 April 1973 from the Minister to the Treasurer recommending a loan of \$800,000 at 6.5 per cent. over 15 years on first mortgage. Mr. Morton said that the file did not indicate whether the memorandum was sent to the Treasurer. The Committee sought the advice of the Treasurer and was informed that no such memorandum was ever received.

36 On 8 May 1973 the members of the Victorian Development Corporation were appointed by the Governor in Council. Apart from the full-time chairman, Mr. I.K. Morton, and one member who was an expert in the field of tourism, the other three members including Mr. G.H. Robertson were all experienced and successful country industrialists.

37 Relevant portions of section 29 of the Victorian Development Corporation Act 1973 read as follows:

(1) Any person who -

(a) .....

(b) being a member of the Corporation....

(ii) without the consent of the Minister is in anywise concerned or interested in ....

any loan grant or other agreement bargain or contract made by or on behalf of the Corporation or in anywise participates or claims to participate in the profit thereof or in any benefit emolument or commission arising from the same -

shall thereby cease to be a member of the Corporation ..... and shall be guilty of an offence against this Act.

Penalty: \$200.

(2) It shall not be lawful for the Corporation to lend any money or make any grant under this Act to any member of the Corporation or to any company or society (other than a company in respect of which a licence has been issued by the Minister pursuant to section 24 of the Companies Act 1961 or any corresponding previous enactment formed or a society formed for a religious educational charitable or community advancement purpose) in or of which any member of the Corporation or any person employed in the administration of any Act administered by the Minister is a director or member of the committee of management or to any firm of which any member of the Corporation or any such person is a member.

38 Mr. I.K. Morton, who was Chairman of the Victorian Development Corporation from 8 May 1973 until early 1976, gave evidence that on 11 May 1973 Mr. A.E. Horsburgh, an officer of the Rural Finance and Settlement Commission, indicated in a note to him his belief that it was not possible to proceed with negotiations that had been started by the Department of State Development with the Freighters group, on the basis that there was a problem from Mr. Robertson's point of view. Mr. Morton said that, following discussions with Mr. Horsburgh on or about 11 May, it was decided "that it was 'not on' for the V.D.C. to lend", and he had then asked Mr. Horsburgh "to be sure that he kept up with what was going on". Mr. Morton also told the Committee that he "had something to do with" the conflict of interest clause being inserted in the Bill which became the Victorian Development Corporation Act.

39 On or before 21 May 1973 Mr. Horsburgh visited the factory which was under construction at Ballarat. He met officers of the Company including Mr. Robertson who stated that the estimated cost of the factory was then \$1.4 million, and he was hopeful that the Victorian Development Corporation may be able to provide more than \$800 000 towards the cost. A letter dated 21 May 1973 from Freighter Franklin to Rural Finance and Settlement Commission sought to amend its loan application to \$1 million to cover the cost of the factory



and a new administration centre. The letter also advised that work on the new factory was well advanced and "should be completed by October 1973".

40 Mr. Horsburgh prepared a report on the application for the first meeting of the Victorian Development Corporation to be held on 24 May 1973. That report concluded with the following paragraph:

For legal reasons it appears that the loan, if approved, would need to be made direct by the Treasury or by Rural Finance and Settlement Commission either as agent for the Treasury or direct from its own resources.

41 Mr. Morton gave evidence that that report was not tabled at the first V.D.C. meeting on 24 May. The application was subsequently referred to the Rural Finance and Settlement Commission.

42 The first meeting of the members of the Victorian Development Corporation was attended by the Minister, the Hon. Murray Byrne. The minutes of the meeting report:

The Minister wished to make it quite clear to the members that their participation on the board should not prevent the companies with which they were associated from obtaining Government assistance to expand their activities or from obtaining assistance of any other kind which may be available to other industries through the corporation. In those cases such assistance should be provided through the Rural Finance and Settlement Commission or the Treasury.

43 Mr. Morton, who was also chairman of the Rural Finance and Settlement Commission, informed the Committee that the Commission made an independent decision in relation to the Freighter Franklin Ltd. application.

44 By a letter dated 8 June 1973 to the Treasury, Mr. Morton, in accordance with the statutory requirement to obtain Treasury approval for loans over \$50 000, stated that the Commission was prepared to offer a loan of \$1 million to Freighter Industries against a first mortgage over the factory to be erected.

45 Mr. Morton's letter included the following paragraphs:

.....It is considered the Victorian Development Corporation is precluded by section 29(2) of the Victorian Development Corporation Act 1973 from making a loan or giving a guarantee in favour of Freighter Industries Limited, as Mr. G.H. Robertson

is both a member of the Corporation and a director of Freighter Franklin Limited which owns all of the share capital of Freighter Industries Limited .....

The Minister for State Development has requested the Rural Finance and Settlement Commission to deal with this application, which has been processed by the Commission's officers. I am informed by the Minister for State Development that the Government is generally committed to this project .....

46 Rural Finance and Settlement Commission had been making loans to country secondary industry for many years. In 1970-71 it lent \$440 666 plus a special Commonwealth loan of \$4.2 million; in 1971-72 it lent \$865 069; in 1972-73 \$1.301 million; and in 1973-74 \$3.067 million, which included two loans of \$1 million.

47 In his speech of 26 September 1979 the Hon. D.R. White quoted part of the Rural Finance Annual Report for 1975-76:

The Commission has continued to assist secondary industry in the country, although expenditure has been on a more modest scale than in the recent years following the formation of the Victorian Development Corporation.(7)

48 Mr. J.C. Banks, Chairman of the Victorian Development Corporation since 1976, gave evidence of government assistance to Freighter Franklin Ltd. in its move to Ballarat. This included removal expenses of \$215 000, payroll tax exemptions and rail subsidies of \$100 000 per annum.

49 Mr. G.H. Robertson gave evidence that he was removed as Managing Director of Freighter Franklin Ltd. on 13 August 1973 and since that time had no connection with nor interest in that Company. The Committee noted that Mr. Robertson remained a director on the record until the Company's annual meeting on 26 April 1974, in accordance with the Companies Act 1961.

50 A loan was made to Freighter Industries Ltd. by the Victorian Development Corporation in 1976 after Mr. Robertson ceased to have any interest in that company. Evidence was given that Mr. Robertson did not take part in the proceedings of the Corporation dealing with that loan.

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(7) Hansard 26 September 1979 p. 2847

## CONCLUSIONS

In relation to the allegations of the Hon. D.R. White concerning Mr. G.H. Robertson, the Committee finds:

- 1 (a) That the advertisement inserted by the Division of Industrial Development in the Melbourne daily newspapers on 10 May 1973 was designed to indicate that Mr. G. Robertson and Freighter Franklin Ltd. were recipients of all manner of Government assistance which were also available to other businesses and companies prepared to decentralize.
- (b) That the advertisement of 10 May 1973 constituted prima facie evidence of a conflict of interest on the part of Mr. G.H. Robertson, Managing Director of Freighter Franklin Ltd., who had been appointed as a member of the new Victorian Development Corporation on 8 May 1973, and that the Hon. Mr. White was justified in contending that a conflict of interest existed.
- (c) That the then Minister for State Development (the Hon. Murray Byrne), by letter on 19 April 1973, indicated his intention to recommend to the new Victorian Development Corporation that Freighter Franklin Ltd. be offered a loan of \$800 000 but the Committee found that Freighter Franklin Ltd., of which Mr. G.H. Robertson was Managing Director, was not in fact the beneficiary of a loan from the Victorian Development Corporation in 1973.

Committee Room,

30 April 1980

## APPENDIX "A"

Advertisement published in daily newspapers on 10 May 1973 under auspices of Division of Industrial Development.



## MOVE OUT AND PROSPER

Geoff Robertson is Managing Director of Freighter Franklin Ltd., one of the 850 prosperous decentralized industries in Country Victoria.

Geoff started making caravans in Ballarat on his own in 1952, and from that start rapidly build a caravan business which is now the largest in Australia. In 1971 he relinquished his control to Eastgalian Securities Ltd. Eastgalian at about the same time had also taken over the Melbourne and interstate Freighter Industries group well known in the Heavy Haulage Trailer Industry, and it was decided that Geoff should continue his managerial role. It has now been announced that because of substantial backing by the Victorian Government, a new \$12 million factory will be added to the already huge caravan factory where Freighter Franklin will commence manufacture of the famous Freighter Trailers.

Already Geoff has employed over 650 people, but with this new development, he will be controlling the destiny and prosperity of approximately 1200 men and women.

Similar concessions are available to other industrialists who decided to move out with Geoff Robertson, at Ballarat, or to any other big country centres throughout Victoria. These include the pioneering payroll tax rebate scheme, cheaper land, buildings and housing, assistance for employees and executives; transfer of plant and machinery, rail freight subsidy, and grants towards cost of transferring personnel.

Join the rush to big Country Victoria

For information Phone, write or call Division of Industrial Development, P.O. Box 242, Collingwood, Victoria, 3066 232 Victoria Parade, East Melbourne, 3002, Telephone 419-1355



## APPENDIX "B"

Press statement released by the Minister for State Development and Decentralization on 21 March 1973 re Freighter Franklin's new industry at Ballarat.

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A new industry to eventually employ more than 650 people is to be established in Ballarat.

The industry, backed by the State Government, is expected to be fully operational within six months.

The new plant is a division of FREIGHTER FRANKLIN LTD., and work will begin immediately on a new \$1.25 million factory adjacent to the Franklin Caravan Complex, which is situated on 62 acres of land in Learmonth Road, Ballarat.

The Minister for State Development and Decentralization, Mr. Murray Byrne, said today: "This is fantastic news for Ballarat and country Victoria".

"This is a tremendous breakthrough for Decentralization and is one of the largest industries ever to be decentralized in Australia".

"This firm would not have come to Victoria, or the country area, if it wasn't for the support and action of the State Government on Decentralization".

"This means that the number of people employed by the Franklin Group at Ballarat will be boosted to more than 1200", the Minister said.

The move was announced jointly today by Mr. Byrne and Freighter Franklin officials, Mr. B.N. Rowe and Mr. Geoff Robertson.

Mr. Rowe said that Freighter Franklin had received a \$2½ million order from Thomas Nationwide Transport to supply a new type of transivans and associated skeletal semi-trailers. The equipment will form part of an integrated road and rail transport system - the largest order of its type ever placed in Australia.

Mr. Rowe said that delivery of the units would begin in September and would be completed in November next year.

"Manufacture of this equipment could not be completed in any of the existing Freighter Franklin plants without seriously disrupting the unprecedented work flow and high order bank", he said.

"Therefore the Board of Freighter Franklin has agreed to extend its production capacity by the erection of a new plant at Ballarat adjacent to the Franklin Caravan Complex."

Mr. Robertson said that to begin with the firm would employ 350 people and as production increased would eventually employ 650.

"The State Government has shown a keen interest in the proposed new factory as a significant contribution to its policy on Decentralization and the matter has been fully discussed with Mr. Byrne", Mr. Robertson said.

"Apart from the benefits of payroll tax exemption, Freighter Franklin is hopeful that the Government will assist with the provision of finance and housing facilities.

"We are pleased to be associated with the policies of the Government on Decentralization and to be playing our part to achieve balanced development and better living conditions for Victoria", he added.

Mr. Byrne said today that he had done everything possible to ensure that the company's new plant would not be located in the Melbourne or Adelaide metropolitan areas.

"This is wonderful news for country Victoria, and supports my statement earlier this week that the country is really booming", Mr. Byrne said.

"The Government is certainly backing this industry to the hilt, and at the moment we are taking steps to ensure that we provide every facility possible."

"We are certainly supporting it financially, and are moving to ensure that sufficient housing will be supplied for personnel.

"The incentives offered by the State Government will give this firm a distinct advantage over locating in the metropolitan area.

"Added to the tremendous benefit of payroll tax exemption, the firm will also be eligible for assistance in training staff, and other aspects of our dynamic 10-point decentralization plan.

"We will also be doing our utmost to encourage people to move from the metropolitan area, and we will provide assistance to people moving out to country industries", Mr. Byrne said.

The Minister stressed that the announcement on the new industry locating in country Victoria was one of many industries expected to set up in country Victoria during the next few months.

"We are negotiating with a large number of industries, and expect they will be establishing in country areas in the near future", Mr. Byrne added.

## EXTRACTS FROM THE PROCEEDINGS.

The Minutes of the Proceedings of the Committee show the following Divisions which took place during the consideration of the draft Report:

WEDNESDAY, 30 APRIL 1980

\*\* \*\*\* \*\*

CONCLUSIONS.

In relation to the allegations of the Hon. D.R. White concerning Mr. G.H. Robertson, the Committee finds:

- 1 That Freighter Franklin Ltd., of which Mr. G.H. Robertson was a member (until August 1973), was not the beneficiary of a loan from the Victorian Development Corporation in 1973.

Question - That Conclusion No. 1 stand part of the Report - put.

The Committee divided (the Hon. B.A. Chamberlain in the Chair).

Ayes, 1

Noes, 3

Hon. R.J. Long

Hon. W.R. Baxter  
W.A. Landeryou  
E.H. Walker

And so it passed in the negative.

\*\* \*\*\* \*\*

Proposed new Conclusion No. 1.

Motion proposed - That the following new Conclusion No. 1 be inserted after the preamble:

- 1 (a) That the advertisement inserted by the Division of Industrial Development in the Melbourne daily newspapers on 10 May 1973 was designed to indicate that Mr. G. Robertson and Freighter Franklin Ltd. were recipients of all manner of Government assistance which were also available to other businesses and companies prepared to decentralize.



- (b) That the advertisement of 10 May 1973 constituted prima facie evidence of a conflict of interest on the part of Mr. G.H. Robertson, Managing Director of Freighter Franklin Ltd., who had been appointed as a member of the new Victorian Development Corporation on 8 May 1973, and that the Hon. Mr. White was justified in contending that a conflict of interest existed.
- (c) That the then Minister for State Development (the Hon. Murray Byrne), by letter on 19 April 1973, indicated his intention to recommend to the new Victorian Development Corporation that Freighter Franklin Ltd. be offered a loan of \$800 000 but the Committee found that Freighter Franklin Ltd., of which Mr. G.H. Robertson was Managing Director, was not in fact the beneficiary of a loan from the Victorian Development Corporation in 1973.

- (Hon. W.A. Landeryou)

Question - That new Conclusion No. 1 proposed to be inserted be so inserted - put.

The Committee divided (the Hon. B.A. Chamberlain in the Chair).

Ayes, 3

Noes, 1

Hon. W.R. Baxter  
W.A. Landeryou  
E.H. Walker

Hon. R.J. Long

And so it was resolved in the affirmative.

\*\* \*\*\* \*\*

Conclusion No. 2.

- 2 That the Hon. Mr. White's contention that the advertisement of 10 May 1973 could only indicate that a loan from a government source would be made to Freighter Franklin Ltd. was not justified.

Question - That Conclusion No. 2 stand part of the Report - put.

The Committee divided (the Hon. B.A. Chamberlain in the Chair).

Ayes, 1

Noes, 3

Hon. R.J. Long

Hon. W.R. Baxter  
W.A. Landeryou  
E.H. Walker

And so it passed in the negative.

\*\* \*\*\* \*\*

Conclusion No. 3.

3 That the Hon. Mr. White's contention that the advertisement of 10 May 1973 could only indicate that a loan would be made by the Victorian Development Corporation to Freighter Franklin Ltd. was not justified.

Question - That Conclusion No. 3 stand part of the Report - put.

The Committee divided (the Hon. B.A. Chamberlain in the Chair).

Ayes, 1

Noes, 3

Hon. R.J. Long

Hon. W.R. Baxter  
W.A. Landeryou  
E.H. Walker

And so it passed in the negative.

\*\* \*\*\* \*\*

Conclusion No. 4.

4 That at the time of the Hon. Mr. White's speech in the Legislative Council he had evidence that Freighter Franklin Ltd. had not received a loan from the Victorian Development Corporation, but from Rural Finance and Settlement Commission, with which Mr. Robertson had no connection.

Question - That Conclusion No. 4 stand part of the Report - put.

The Committee divided (the Hon. B.A. Chamberlain in the Chair).

Ayes, 1

Noes, 3

Hon. R.J. Long

Hon. W.R. Baxter  
W.A. Landeryou  
E.H. Walker

And so it passed in the negative.

\*\* \*\*\* \*\*

Conclusion No. 5.

5 The allegation that Mr. G.H. Robertson was guilty of a conflict of interest was unwarranted and untrue. The Hon. D.R. White produced no justification for making the statement.

Question - That Conclusion No. 5 stand part of the Report - put.

The Committee divided (the Hon. B.A. Chamberlain in the Chair).

Ayes, 1

Noes, 3

Hon. R.J. Long

Hon. W.R. Baxter  
W.A. Landeryou  
E.H. Walker

And so it passed in the negative.

\*\* \*\*\* \*\*

STATUTE LAW REVISION COMMITTEE

REPORT ON

THE TAKEOVER OFFER

FOR

THE UNION FIDELITY TRUSTEE COMPANY OF AUSTRALIA LIMITED

BY

BURNS PHILP TRUSTEE COMPANY LIMITED

---

*Ordered to be printed*

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Parliamentary Paper  
D-No.7/1979.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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TUESDAY 29 MAY 1979

- 11 STATUTE LAW REVISION COMMITTEE-The Honorable  
A.J. Hunt moved, by leave, That the Honorables  
D.M. Evans, J.V.C. Guest, N.B. Reid, J.M. Walton  
and D.R. White\* be members of the Statute Law  
Revision Committee, and that the said Committee  
have power to send for persons, papers and  
records.

Question-put and resolved in the affirmative.

WEDNESDAY 18 JULY 1979

- 17 STATUTE LAW REVISION COMMITTEE-The Honorable  
A.J. Hunt moved, by leave, That the Honorable  
Joan Coxsedg be a member of the Statute Law  
Revision Committee, and that the said Committee  
have power to send for persons, papers and  
records.

Question-put and resolved in the affirmative.

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\* The Honorable D.R. White ceased to be a Member of the  
Legislative Council on 14 July 1979 on expiry of his  
term. He was not re-appointed to the Committee after  
being sworn in for a new term as a Member of the  
Legislative Council.

EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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TUESDAY 29 MAY 1979

- 35 STATUTE LAW REVISION COMMITTEE-Motion made, by leave, and question-That Mr Ebery, Mr Edmunds, Mr McInnes, Mrs Patrick, Mr Skeggs, Mr Smith (*South Barwon*) and Mr Wilton be Members of the Statute Law Revision Committee; and that the Committee have power to send for persons, papers and records (*Mr Hamer*)-put and agreed to.

TUESDAY 16 OCTOBER 1979

- 12 STATUTE LAW REVISION COMMITTEE-Motion made, by leave, and question-That Mrs Patrick be discharged from attendance on the Statute Law Revision Committee and that Mr Templeton be appointed in her stead (*Mr Maclellan*)-put and agreed to.
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## REPORT

THE STATUTE LAW REVISION COMMITTEE, appointed pursuant to the provisions of the Parliamentary Committees Act 1968, has the honour to report as follows :-

1 By letter dated 4 July 1979 the Honorable Haddon Storey, Q.C., M.L.C., Attorney-General of Victoria, requested the Committee to examine and report upon whether the Second Schedule to the Victorian Trustee Companies Act 1958 in relation to The Union-Fidelity Trustee Company of Australia Limited should be amended to enable the Burns Philp Trustee Company Limited to hold the whole of the issued capital of The Union-Fidelity Trustee Company of Australia Limited.

2 The Committee agreed to undertake this Inquiry and notified the Attorney-General by letter dated 11 July 1979.

3 The Committee received written submissions,\* which are appended to this report from the following companies :-

Burns Philp Trustee Company Limited; )  
 The Union-Fidelity Trustee Company ) Joint  
 of Australia Limited ) Submission

The Equity Trustees Executors and Agency  
 Company Limited;

National Trustees Executors and Agency  
 Company of Australasia Limited;

Perpetual Trustees Australia Limited;

The Perpetual Executors and Trustees  
 Association of Australia Limited; and

Sandhurst and Northern District Trustees  
 Executors and Agency Company Limited.

4 The Committee commenced hearing evidence on 4 September\*\* 1979 and appended to this Report are the Minutes of Evidence from the following witnesses who assisted the Committee during the Inquiry :-

Mr J P Sweeney, Chairman; ) The Union-Fidelity  
 Mr L G Williams, Director; and ) Trustee Company of  
 Mr G S Russell, General Manager) Australia Limited.

\* Submissions not printed.

\*\* Minutes of Evidence not printed.



Mr J D O Burns, Chairman and Managing Director  
of Burns Philp and Company Limited, and  
Chairman of Burns Philp Trustee Company Limited.

Mr R T Heiler, Finance Director of Burns Philp  
and Company Limited, and Director of Burns  
Philp Trustee Company Limited; and

Mr A H E Furze, Director and General Manager  
of Burns Philp Trustee Company Limited.

Sir James Tait, Q.C., Chairman; )The Equity  
Mr N K Baker, F.C.A., Vice-Chairman; and)Trustees  
Mr John Crutch, Manager )Executors and  
 )Agency Company  
 )Limited.

Mr Hilton J Nicholas, O.B.E., Chairman; )National  
Mr Victor G Southall, Vice-Chairman; and)Trustees  
Mr A A Quinn, General Manager )Executors and  
 )Agency Company  
 )of Australasia  
 )Limited.

The Honorable Sir George Reid, Q.C., former  
Attorney-General of Victoria.

5 The Victorian Trustee Companies Act 1958 enables a trustee company to act as executor of a will, to obtain probate and letters of administration and to act as administrator of an estate. The Act also makes liable the capital, both paid and unpaid, and the assets of a trustee company to be security for the proper administration of estates granted and also regulates the commission chargeable by the trustee companies. It places conditions concerning the shareholding, the liability of shareholdings, and the reserve liability of the trustee company and former directors of the trustee company in the event of the trustee company being wound up. The Act also regulates the accounting of estates, types of funds to be kept and other related matters.

6 The Second Schedule to the Victorian Trustee Companies Act 1958 in relation to The Union-Fidelity Trustee Company of Australia Limited reads as follows :-

"2 THE UNION-FIDELITY TRUSTEE COMPANY OF AUSTRALIA LIMITED.

*No member shall hold in his own right shares of a nominal amount which is in total more than a one hundred and twenty-eighth part of the nominal amount of the issued capital of the Company.*

*The reserve liability of the Company (being that portion of the Company's share capital which is not capable of being called up except in the event of and for the purposes of the Company being wound up) shall not be less than \$256,000.*

*In the event of the Company being wound up every person who has been a director of the Company at any time within the period of two years preceding the commencement of the winding up shall be liable for the total amount remaining unpaid on every share which he has held and transferred during such two years in addition to his liability upon any share held by him at the commencement of the winding up.*

*Subject to the provisions of section 24 but notwithstanding any other provisions of this Act the Company may alter its share capital in any manner permitted by the Companies Act 1961 other than by reducing its share capital."*

7 The Committee was advised that on 2 November 1978 Burns Philp Trustee Company Limited made an offer to the shareholders of The Union-Fidelity Trustee Company of Australia Limited to acquire the whole of the issued capital of that company subject to :-

- (a) enabling legislation being made to the Second Schedule to the Victorian Trustee Companies Act 1958; and
- (b) Burns Philp Trustee Company Limited receiving acceptances which total at least 115,200 ordinary shares in The Union-Fidelity Trustee Company of Australia Limited.

8 The Union-Fidelity Trustee Company of Australia Limited acts as an authorised trustee company in Victoria, New South Wales, Queensland and the Australian Capital Territory. The Company has approximately 560 shareholders and approximately 220 employees. The Company's authorised capital is \$1 million and the paid up capital is \$352,000 divided into 128,000 shares of \$5.00 each paid to \$2.75 per share. The uncalled liability of \$2.25 per share cannot be called up except in the event of the Company being wound up. As at 28 February 1979 total shareholders funds were \$4.879 million.

9 Burns Philp Trustee Company Limited has been an authorised trustee company in Victoria since 1969 and is a wholly owned subsidiary of Burns Philp and Company Limited, a New South Wales trading company. Burns Philp Trustee Company Limited was incorporated in New South Wales in 1938 and two years later became an authorised trustee company in that State. It is also an authorised trustee company in Papua New Guinea and Fiji. In the Australian Capital Territory a wholly owned subsidiary of Burns Philp Trustee Company Limited, namely Burns Philp Trustee Company (Canberra) Limited, is an authorised trustee company.

10 The Committee was advised that the authorised capital of Burns Philp Trustee Company Limited is \$1 million, with paid up capital of \$730,000 comprising 700,000 shares of \$1.00 each fully paid and 300,000 of \$1.00 each paid to 10 cents per share. The uncalled liability of 90 cents per share cannot be called up unless the company is wound up and there is a special reserve of \$130,000 which can only be distributed in the event of a winding up.

11 The 1978 Annual Report of Burns Philp and Company Limited shows authorised capital of \$50 million with paid up capital of \$37,193,184 comprising 37,193,184 shares of \$1.00 each. The report also shows that Burns Philp and Company Limited and Subsidiary Companies have total assets of \$437,243 million and shareholders funds are \$224,404,760. Burns Philp and Company Limited has 10,689 shareholders and the Burns Philp Group employs 11,213 people.

12 It was noted by the Committee that the parent company has many diverse activities which include hardware, glass, timber, electrical goods, motor vehicle and cafe-bar distribution, manufacturing, liquor wholesaling and retailing, shipping and travel agencies, hotels, finance, insurance and investments.

#### Arguments for the proposal

13 In their joint submission Burns Philp Trustee Company Limited and The Union-Fidelity Trustee Company of Australia Limited stated that the necessary enabling legislation referred to in paragraph 7 of this Report could be achieved by amending the first paragraph of Clause 2 of the Second Schedule to the Trustee Companies Act 1958 to provide that "No member other than Burns Philp Trustee Company Limited shall hold more than one thousand shares in his own right". It was pointed out that a similar provision already exists in Clause 9 of the said Second Schedule, in relation to Burns Philp Trustee Company

Limited, which provides that "No member other than Burns Philp Company Limited shall hold more than one thousand shares in his own right".

14 In support of the above amendment the companies stated that 92.3 per cent of the shareholders of The Union-Fidelity Trustee Company of Australia Limited - representing in excess of the required 115,200 ordinary shares referred to in paragraph 7 of this report - desire to sell their shares to Burns Philp Trustee Company Limited.

15 Burns Philp Trustee Company Limited and The Union-Fidelity Trustee Company of Australia Limited submitted that the following advantages would result from their proposal :-

- (a) the two companies would be able to offer co-ordinated and complementary trustee services throughout Victoria, New South Wales, Queensland, the Australian Capital Territory, Papua New Guinea and Fiji;
- (b) uniting the strengths of the management and staff of the two companies would provide the capacity for more planning and development activities in the pursuit of improved services, efficiency and productive operation;
- (c) the expertise of the Burns Philp Group in finance, merchant banking, money market operations, real estate management and development, data processing, planning and development, portfolio and investment management, mining and insurance would be readily available to the two companies;
- (d) there would be no retrenchment of staff of either company; rather it would provide wider and increasing employment opportunities for The Union-Fidelity Trustee Company of Australia Limited personnel within the Burns Philp Group; and
- (e) the two companies would be able to structure their fixed and operational costs more economically in respect of such services as data processing placing them in a stronger position to meet competition with benefits flowing to their clients.

16 Burns Philp Trustee Company Limited gave evidence that during the past five years statutory trustee companies have diversified from traditional trustee activities. An example given was that The Trustees Executors and Agency Company Limited, according to its 1978 accounts had \$52 million out of its total assets of \$60 million involved in money market operations. Burns Philp Trustee Company Limited raised no objection to diversification by statutory trustee companies but objected to those companies claiming to be solely involved in traditional trustee activities.

#### Arguments against the proposal

17 There are eight trustee companies operating in Victoria. Of the remaining six, one declined to comment and five expressed strong opposition to any amendment to the Trustee Companies Act 1958 which would enable Burns Philp Trustee Company Limited to hold the whole of the issued capital of The Union-Fidelity Trustee Company of Australia Limited.

18 The Equity Trustees Executors and Agency Company Limited submitted that the impregnable and independent statutory trustee company is at the heart of the law of trusts. People who appoint a statutory trustee company to administer their affairs rely on that special position, and the Government has, by Statute, protected trustee companies against takeovers.

19 The report of the Statute Law Revision Committee upon Certain Matters relating to Trustee Companies (Parliamentary Paper D. 18/1978) concluded :-

*"37 The Committee supports the specialized role of the trustee companies in the community and believes that the interests of persons beneficially interested in property held in trust or administered or managed by statutory trustee companies are paramount."*

20 Witnesses opposing changes to the Act submitted that the administration of estates is a personal business and should be conducted by independent statutory trustee companies which are limited in the scope of their business and, required to observe limitations with regard to ownership so as to avoid conflicts of interest and to protect testators, settlors and beneficiaries against the transformation of an appointed executor or trustee into an entity never contemplated by the appointor. It was stressed that it is essential for a statutory trustee company to be independent to preserve the sanctity of trusts.

21 It was further argued that the principle of limitation of shareholdings was designed to avoid the possibility of control of statutory trustee companies passing into the hands of, or coming under the influence of, parties who have a range of interests which may conflict with those of the beneficiaries of trusts and estates under their administration.

22 It was generally recognised by witnesses that the obligations of directors of trustee companies are, firstly to act within the principles originally established in the respective Acts of Parliament which created the trustee companies. Secondly, that the obligations of the directors are to the trusts, testators and beneficiaries; and thirdly, that they have obligations to the shareholders of the companies.

23 It was submitted that the trustee industry has never existed solely for the benefit of shareholders. The Committee was informed that people acquiring shares in statutory trustee companies do so knowing the statutory limitations.

24 Evidence was given that the long standing stability of the statutory trustee companies has engendered in the public confidence to entrust their estates to such a trustee company with the expectation that it would continue to manage their affairs and maintain continuity of company policy. Support for this evidence was received in correspondence from two clients of The Union-Fidelity Trustee Company of Australia Limited who objected to the proposed takeover by Burns Philp Trustee Company Limited.

25 It was submitted that difficulties could arise in regard to its wholly owned subsidiaries in the event of Burns Philp Company Limited itself being taken over. This was recognised by Burns Philp Trustee Company Limited, which by letter of 22 February 1979 to the Attorney-General for Victoria stated :-

*"... that if at any time Burns Philp & Company became a subsidiary (not necessarily wholly owned) of any other company, then at the option of the Attorney-General, the Attorney-General could order the disposal by Burns Philp & Company of its shares in Burns Philp Trustee to parties approved by the Attorney-General."*

26 It was noted that in the report of the Select Committee upon the proposals contained in the Trustee Companies (New Zealand Insurance Trustee Company Limited) Bill (Parliamentary Paper D. 1/1972) the Committee concluded :-

"24 In the opinion of your Committee the Bill should not be proceeded with at this time. The proposed guarantees offered by the New Zealand Insurance Trustee Company show the willingness of that organization to cover the doubts raised during the inquiry and the Company is to be commended for these proposals, nevertheless, your Committee is of the opinion that it is not desirable to allow a foreign controlled company not subject to the principles of limitation of shareholdings and independence of operation which have been the tradition of Victorian legislation, to act as a trustee company within Victoria within the meaning of the Trustee Companies Act 1958. The basic principles of the present Trustee Companies Act 1958 should be adhered to. Limitation of shareholdings in a trustee company, even though this limitation can be avoided at the present time should be maintained."

## CONCLUSIONS

27 The Union-Fidelity Trustee Company of Australia Limited and Burns Philp Trustee Company Limited were the only companies in a position to make a comprehensive survey of the attitudes of their clients and beneficiaries to the proposed takeover. However, no evidence of any such survey was given.

28 No suggestion was made to the Committee that The Union-Fidelity Trustee Company of Australia Limited would not remain viable as a reasonably profitable trustee company performing the traditional services of statutory trustee companies if the proposed takeover did not proceed.

29 Having regard to the history of trustee company legislation and the report of the Statute Law Revision Committee of 1978, the Committee took the view that those seeking change should demonstrate that an amendment to the law was justified.

30 While shareholders in The Union-Fidelity Trustee Company of Australia Limited would benefit from the proposed takeover, and employees might well find advantage in becoming part of a larger organization, the Committee considered that the interests of beneficiaries and the upholding of testators' expectations are of paramount importance.

31 Most testators and settlors entrust their estates to a particular trustee company in the interests of their beneficiaries. The Committee supports the statutory protected position of trustee companies and does not consider that the evidence of possible advantages for beneficiaries put forward by witnesses supporting the takeover outweighs these considerations.

#### RECOMMENDATION

32 The Committee recommends that no amendment be made to the Second Schedule to the Trustee Companies Act 1958 in relation to The Union-Fidelity Trustee Company of Australia Limited.

Committee Room  
1 November 1979.





STATUTE LAW REVISION COMMITTEE

PROGRESS REPORT

ON THE

CONSTITUTION ACT 1975

---

A BILL OF RIGHTS

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*Ordered to be printed*

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Parliamentary Paper  
D-No.9/1979.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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TUESDAY 29 MAY 1979

- 11 STATUTE LAW REVISION COMMITTEE - The Honorable A.J. Hunt moved, by leave, That the Honorables D.M. Evans, J.V.C. Guest, N.B. Reid, J.M. Walton and D.R. White\* be members of the Statute Law Revision Committee, and that the said Committee have power to send for persons, papers and records.

Question - put and resolved in the affirmative.

WEDNESDAY 18 JULY 1979

- 17 STATUTE LAW REVISION COMMITTEE - The Honorable A.J. Hunt moved, by leave, That the Honorable Joan Coxsedg be a member of the Statute Law Revision Committee, and that the said Committee have power to send for persons, papers and records.

Question - put and resolved in the affirmative.

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\*The Honorable D.R. White ceased to be a Member of the Legislative Council on 14 July 1979 on expiry of his term. He was not re-appointed to the Committee after being sworn in for a new term as a Member of the Legislative Council.

EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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TUESDAY 29 MAY 1979

- 35 STATUTE LAW REVISION COMMITTEE - Motion made, by leave, and question - That Mr Ebery, Mr Edmunds, Mr McInnes, Mrs Patrick, Mr Skeggs, Mr Smith (*South Barwon*) and Mr Wilton be Members of the Statute Law Revision Committee; and that the Committee have power to send for persons, papers and records (*Mr Hamer*) - put and agreed to.

TUESDAY 16 OCTOBER 1979

- 12 STATUTE LAW REVISION COMMITTEE - Motion made, by leave, and question - That Mrs Patrick be discharged from attendance on the Statute Law Revision Committee and that Mr Templeton be appointed in her stead (*Mr Maclellan*) - put and agreed to.
-



REPORT

The STATUTE LAW REVISION COMMITTEE, appointed pursuant to the provisions of the Parliamentary Committees Act 1968, has the honor to report as follows:

1 By letter dated 27 November 1975 the Honorable V.F. Wilcox, Q.C., the then Attorney-General, requested the Committee to undertake an examination of the Constitution Act 1975 (No. 8750). The Committee agreed to the request and accordingly informed the Attorney-General by letter dated 8 December 1975.

2 The Constitution Bill passed through both Houses of Parliament, was reserved for Royal Assent by Her Majesty on 20 May 1975 and was assented to on 22 October 1975. Notification of the Royal Assent was published in the Victoria Government Gazette on 19 November 1975 and the Act came into operation on 1 December 1975.

3 The Constitution Act 1975 repealed The Constitution Act which had come into operation on 23 November 1855. It contains many of the provisions contained in that Act together with some sections formerly appearing in The Constitution Act Amendment Act 1958 and the Supreme Court Act 1958. In his second reading speech on the Constitution Bill the Attorney-General described the Bill as "essentially a consolidating Bill".

4 When the Bill was being debated in the Parliament many suggestions were made as to how it could be amended. The Attorney-General therefore gave an undertaking in the Legislative Assembly that when the Bill had been passed and proclaimed he would refer it to the Statute Law Revision Committee for examination and report as to whether amendments should be made to it.

5 The Committee examined the debates in both Houses of Parliament and the suggestions for amendment made by Members. As a result of that examination and also the undoubted complexity of the whole subject of the Constitution Act 1975, the Committee decided to separate the Inquiry into eight specific aspects, namely:

- (a) Incorporation of a Bill of Rights into the Constitution Act or as an Act in its own right
- (b) Role of the Upper House
- (c) Disqualification of Members of Parliament
- (d) Qualification of electors
- (e) Powers of the Governor
- (f) Procedural matters relating to Parliament
- (g) The growth of the Executive
- (h) Relationship of public officers to political affairs.

6 The Committee decided to initially concentrate on its examination of the Bill of Rights and this Report therefore relates only to that consideration. The remaining aspects will be dealt with progressively in future Reports.

7 Appended to this Report are the Minutes of Evidence\* of the witnesses who appeared before the Committee during the Inquiry:

Mr. J.C. Finemore, O.B.E., Q.C., Chief  
Parliamentary Counsel;

Professor Enid Campbell, Professor of Law,  
Monash University;

The Hon. Mr. Justice C.I. Menhennitt, of  
the Victorian Supreme Court;

The Hon. Mr. Justice R.E. McGarvie, of the  
Victorian Supreme Court; and

Mr. (now Senator) Gareth Evans.

### The Case for a Bill of Rights

8 It was submitted to the Committee that there was a need to recognize basic human rights and freedoms and to provide remedies for their enforcement. This could be achieved either by way of amendment to the Constitution Act 1975 or the enactment of a specific Act drafted for that purpose, namely a Bill of Rights. Witnesses claimed that a gradual erosion of citizens' rights was occurring and therefore it was necessary to enact provisions likely to prevent the reduction of citizens' existing rights and freedoms.

\*Minutes of Evidence not printed.

9 It was pointed out in evidence that although at the moment the state of fundamental rights and freedoms was fairly satisfactory in Victoria there was no cause for complacency and there was room for improvement.

10 Witnesses in favour of a Bill of Rights emphasized the need to preserve existing rights. Attention was drawn to the vastly increasing amount of legislation being passed by both the Commonwealth and State Parliaments. It was suggested that in the legislative process, with the pressures involved, Members of Parliament did not have time to read important legislation and much less time to assess its impact.

11 Evidence was submitted that whilst the primary way of initiating and recognizing social change was by passing legislation the statute books had filled up rapidly, and often chaotically, with measures not to protect freedom but to regulate it away. Laws were being passed because there was seen to be a need to do something or to be seen to be doing something about a particular problem. These Acts were not necessarily enforced regularly or at all but were always capable of such enforcement, e.g. the Victorian Unlawful Assemblies and Processions Act 1958. There were few (if any) routes by which legal redress could be sought against laws which were themselves unreasonable or were being applied unreasonably.

12 One witness supporting the introduction of a Bill of Rights told the Committee that such Bill should be thought of as a supplement to, rather than a substitute for, other more narrowly focused pieces of legislation dealing in detail with privacy, race and sex discrimination, police powers and other complex areas of traditional civil liberties.

13 A further reason given in support of a Bill of Rights was the growing domination of the Parliamentary process by the Executive. It was submitted that the Executive (including the Government) was tending to control Parliaments and was naturally concerned with getting its policy into operation. Ministers in all Parliaments under the Westminster system were enormously overworked and consequently had insufficient time to give satisfactory consideration to legislation. As a result, the Public Service was becoming increasingly influential. Concerned only with putting policy into effect, the Public Service was therefore involved to a large extent in the regulating of citizens. It was said that the Public Service was concerned with problems from the point of view of the regulating side and not from the regulated side of citizens.



14 The Committee was told that there were growing causes of social tension such as unemployment, inflation, energy shortages, the fear and divisiveness connected with nuclear power and the threat of terrorism. It was submitted that these factors would be very difficult to eradicate whatever course may be taken by one Government or another and were further evidence of the need for a Bill of Rights.

15 Other reasons were also given in support of a Bill of Rights. It was said there was a growing tendency to disregard conventions, the sort of conventions which could be used to restrain and soften the harsh use of political, governmental or Executive power. There was also a growing trend towards authoritarianism and the point was made that the number of democracies in the world was diminishing.

16 Because of the reasons outlined in the preceding paragraphs witnesses argued there was a need for a Bill of Rights to be enacted. It was said that such a move would be in the interests of the preservation of democracy and would force legislators to consider civil liberty requirements when drafting legislation. The result would be an increased awareness of fundamental rights. Such a move would also add to the influence of Parliament and reduce that of the Executive and would finally result in greater respect for Parliament and for the judiciary.

17 Witnesses supporting a Bill of Rights said that the provisions of such Bill alone could not guarantee fundamental rights and freedoms. The Bill would only make it more difficult for such rights to be taken away either deliberately or inadvertently. One witness said that the retention of fundamental rights and freedoms depended ultimately on a deep belief in the community and those holding power within the community that citizens in a civilized society ought to have fundamental rights and freedoms. If that belief disappeared, everything in the way of rights would disappear with it.

18 Another witness in favour of a Bill of Rights described it as being no panacea for human rights problems. He further said that the fact that many of the hundred or so countries which had Bills of Rights were notorious for their disregard of fundamental civil and political rights did not undermine the case for a Bill of Rights in Victoria.

#### What rights should be preserved?

19 The Committee was told that the first task in preparing a Bill of Rights was to identify with some precision the rights which it was sought to protect. It was suggested

that it would be desirable to include the kind of rights which were contained in the International Covenant on Civil and Political Rights. Such rights were at least capable of some kind of enforcement by various judicial or executive means. These rights were summarized by witnesses as follows:

- (a) political rights:
  - (i) right to vote
  - (ii) freedom of speech
  - (iii) freedom of the press
  - (iv) freedom of assembly
  - (v) freedom of religion
  - (vi) freedom of movement
- (b) legal rights:
  - (i) independence of the judiciary
  - (ii) right to habeas corpus
  - (iii) freedom from arrest
  - (iv) freedom from search
  - (v) right to bail
  - (vi) right to trial by jury
  - (vii) freedom from unusual punishments
- (c) equality rights and freedoms:
  - (i) equal opportunity
  - (ii) aliens - exclusion from professions
  - (iii) freedom from discrimination of aliens, aboriginals and homosexuals
- (d) other rights:
  - (i) right to privacy
  - (ii) right to speedy trial
  - (iii) freedom from surveillance.

20 It was also submitted that the right to have property only acquired on just terms could be included as a protected right in a Bill of Rights. The Committee was told that this right was already set out in the Victorian Lands Compensation Act 1958 and also in the Commonwealth Constitution.

21 It was suggested by one witness that economic rights be also included in a Bill of Rights, e.g. the right to free education. However, the witness conceded that it was often impractical to include such provisions in Constitutions. Another witness in favour of a Bill of Rights argued against including socio-economic type rights such as the right to an adequate standard of living, education, employment, health care, etc. He further submitted that whilst these rights were the most fundamental of all and most of which were contained in the International Covenant on Economic, Social and Cultural Rights, their achievement was unlikely to be aided by their inclusion in an enforceable Bill of Rights. Instead, they depended for their realization upon the state of the economy, the extent of community resources and other considerations which might be beyond the capacity of the best motivated government.

22 Witnesses told the Committee that the rights to be protected in a Bill of Rights could be defined in broad and general terms similar to the United States Bill of Rights, or alternatively with each right carefully and precisely set out with the appropriate qualifications and limitations. The Committee was told that although both alternatives were working satisfactorily in Bills of Rights throughout the world, each had its drawbacks. In the case of broadly expressed rights a great deal of discretion was left to the reviewing agency in the implementation and enforcement of the provisions. A witness said that the alternative of a precise and detailed Bill carried the danger of so many qualifications in the Bill that the actual rights to be protected would be emptied of any meaning.

23 Witnesses in favour of a Bill of Rights were of the opinion that the broadly based Bill was the more desirable. The result would be that each right would be expressed in almost absolute and unqualified terms, leaving it to the enforcement body to articulate on such qualifications and limitations as were considered necessary.

#### Implementation and enforcement

24 The Committee was told that if a Bill of Rights was to have any effect the provisions needed to be enforceable. The alternative of broad high sounding statements of declaratory principles was not acceptable. Witnesses told the Committee that the main methods of enforcement were by "judicial review" and "executive review". Judicial review meant giving the courts the power to enforce the provisions and there was a number of alternative methods of executive review. However, witnesses differed in their opinions as to the best methods of enforcement.

25 One witness contended that Parliament should provide guidelines for enforcement and that the rights referred to in paragraphs 19 and 20 of this Report should be set out in "protected provisions" of the Constitution. Such provisions could not be altered without the concurrence of an absolute majority of both Houses of Parliament. He also suggested further safeguards by the appointment of a Parliamentary Commissioner to examine all proposed legislation and report to Parliament on possible infringements of the protected provisions in the Constitution. He added that there also should be a Standing Committee of Parliament on citizens' rights and freedoms with a similar function to that of the Parliamentary Commissioner.

26 Another witness suggested there were four main alternative methods of enforcement by executive review, namely:

- (i) A Human Rights Commission (or Commissioner) armed with powers of investigation, report and research;
- (ii) A Human Rights Commission as above, but armed also with powers of initiating legislation after negotiation or conciliation breaks down;
- (iii) An agency vested with the task of reviewing all pending Bills (and perhaps existing legislation as well) for their conformity with the Bill of Rights and reporting accordingly; and
- (iv) A review agency as above, but armed also with the power of absolute or suspensory veto (the latter meaning that the offending legislation could still be passed, but only after a time lag or with a special majority of Parliament, or both).

27 A system of enforcement involving elements of both executive and judicial review was advocated by the witness who outlined the above methods. He told the Committee there should be a Human Rights Commission (which could incorporate the existing State anti-discrimination agencies) with powers of complaint, investigation and conciliation, scrutiny of proposed and existing legislation, research, recommendation and report. The Commission should also have the power to initiate court action, either by way of direct challenges on its own behalf or on behalf of some aggrieved individual when conciliation procedures have broken

down. In addition, the courts should be vested with a general power to hear and determine matters arising under the Bill of Rights. Subject to the normal procedural limitations, e.g. that a declaration or injunction might not be obtainable in all courts, there should be no attempt made to confine the jurisdiction in Bills of Rights to any particular court.

### Entrenchment of a Bill of Rights

28 Entrenchment is the description used for measures which may be taken by a Parliament enacting a Bill to impede its alteration or repeal by a future Parliament. Witnesses expressed widely differing views on the possibility of effective entrenchment of a Bill of Rights.

29 One witness told the Committee that there were two distinct methods of safeguarding the provisions of a Bill of Rights. Firstly, there were formal entrenchment measures which would make it difficult for a subsequent Parliament to expressly repeal or amend the Bill of Rights itself, e.g. by requiring a two-thirds majority of both Houses, or a referendum, as a necessary condition of such repeal or amendment. Entrenchment clauses with respect to Upper Houses were familiar in Australian State Constitutions and section 18 of the Victorian Constitution Act 1975, which contains provisions requiring absolute majorities in Parliament to alter selected provisions of the Act, was cited as an example.

30 Secondly, there were measures excluding implied repeal which could be taken. These involved clauses, clearly stating Parliament's intention that no further enactment, however inconsistent with any terms of the Bill of Rights, should be treated as implicitly repealing or amending the Bill of Rights, unless it contained an explicit statement of intention to repeal or amend the Bill of Rights. The Committee was told that section 2 of the Canadian Bill of Rights 1960 contained such clause as follows:

*2. Every law of Canada shall, unless it is expressly declared by an Act of the Parliament of Canada that it shall operate notwithstanding the Canadian Bill of Rights, be so construed and applied as not to abrogate, abridge or infringe or to authorize the abrogation, abridgment or infringement of any of the rights or freedoms herein recognized and declared, and in particular, no law of Canada shall be construed or applied so as to .....*

The Human Rights Bill 1973, section 5(2) and (3), introduced into the Australian Parliament had also contained such clause as follows:

*(2) Subject to sub-section (3), any provision of a law of Australia or of a Territory, whether passed or made before, on or after the commencing day, that is inconsistent with a provision of this Act does not, to the extent of the inconsistency, have any force or effect.*

*(3) Sub-section (2) does not apply in relation to a provision of a law if an Act expressly declares that that provision shall operate notwithstanding this Act.*

31 The exclusion of implied repeal approach as the alternative to formal entrenchment was favoured by the witness who contended that, despite traditional views to the contrary, it was possible to entrench a Bill of Rights. This view was also shared by another witness who said that whilst entrenched Bills of Rights throughout the world had not been absolutely effective, there would be no difficulty in enacting an entrenched Bill of Rights either as part of the Constitution Act 1975 or as a separate Act.

32 Other witnesses put the opposite view. One said that it was not possible for a Parliament to pass a Bill in such a way as to prevent any future Parliament from altering, repealing or amending its provisions. Despite a Parliament having passed an entrenchment provision, it was possible for any future Parliament to pass a Bill with the express provision that the later Act was to prevail and, to that extent, the Bill of Rights could be amended or repealed. If there was a conflict between a provision of a Bill of Rights and a subsequent Act, on all the principles of interpretation the later Act would prevail.

33 Another witness who was in favour of a Bill of Rights told the Committee that complete entrenchment was not possible. Section 18 of the Constitution Act 1975, which contains provisions referred to in paragraph 29 of this Report, had the effect of making it difficult to change the legislation. It set up procedures which made sure that only in particular circumstances could the legislation be changed. The provisions of a Bill of Rights could be made subject to those qualifications.

## The Case against a Bill of Rights

34 The main arguments against the introduction of a Bill of Rights were that specific, well defined ordinary legislation was sufficient to protect individual rights; that in interpreting such Bill the judiciary would be cast into the area of politics and that an independent advisory agency to review legislation was the preferable solution.

35 The Committee was told that experience both in Australia and the United States of America had led to the conclusion that the protection of human rights should be dealt with by ordinary legislation in specific and well defined terms and should not be included in the Constitution Act 1975 or be dealt with by attempting to define human rights in general terms. Experience had shown that the attempt to define human rights by broad provisions in general terms was unsatisfactory.

36 One witness commented on the difficulties of interpretation which a Bill of Rights would present for the judiciary. He submitted that courts needed to be provided with concepts sufficiently precise for clear application. The use of broad general terms resulted in a multiplicity of decisions and marked differences of opinion as to what the words actually meant. An example given was the United States Bill of Rights. Bills of Rights could result in the views of the courts prevailing over the views of Parliament on what were essentially matters of policy. The prospect of interpretation by the courts of a Bill of Rights would leave individuals less sure of their rights than at present.

37 He further told the Committee that as a result of attempts to entrench Bills of Rights the courts would be placed in the unsatisfactory situation of dealing with policy considerations and possibly having to decide whether a later Act of Parliament was inconsistent with the Bill of Rights provisions. He submitted that it was highly undesirable to place the courts in this situation. It was also likely to produce great uncertainty and strong differences of public opinion.

38 Another witness said that a Bill of Rights would not provide better security against unwarranted invasions of individual liberty than exists at present. The best way to preserve fundamental rights and freedoms was to establish an independent advisory agency charged with the responsibility of reviewing the laws having due regard to the relevant international conventions to which Australia is a party.

39 It was claimed that an independent advisory review body would be able to undertake a systematic programme of review, similar to that of a law reform commission. It could recommend specific changes in the law after considering submissions and evidence from interested parties. Such a body should not interfere with Parliament's legislative supremacy and therefore should be set up by statute rather than by executive act. It was suggested that it should have some kind of link with the Parliament such as a statutory requirement that its reports be presented to Parliament.

### Conclusions

40 The evidence given to the Committee suggests that there are two basically different groups of rights which could be included in a Bill of Rights. It was pointed out that although it may be desirable to include socio-economic rights in a Bill of Rights it was regarded as impractical. The Committee agrees with this view and examined the question of a Bill of Rights in the context of rights referred to in paragraph 19 of this Report, namely, civil and political rights.

41 The main reason given in support of the introduction of a Bill of Rights was the vastly increasing volume of legislation being enacted and its resultant effect upon the rights and freedoms of citizens. It was claimed that citizens' rights were being eroded by this legislation and that a Bill of Rights, which would force legislators when drafting legislation to conform to certain criteria, would result in the recognition and protection of fundamental rights. The contrary view was that the ordinary laws of the State provided sufficient guarantees of fundamental rights and freedoms and therefore a Bill of Rights was not necessary.

42 The Committee considers that in order to justify a Bill of Rights in Victoria it must be established that fundamental rights and freedoms are at risk and whether a Bill of Rights would provide the necessary remedy. In considering this question, the Committee noted with interest the comment made by one witness supporting a Bill of Rights that Victoria was amongst the foremost of the political systems of the world in protecting rights and freedoms.

43 The Committee recognizes that in recent years there has been a substantial growth in the amount of legislation being passed. However it does not believe that this justifies the enactment of a Bill of Rights. The Committee considers that sufficient safeguards exist at present in the Parliamentary process and in both the statute and common law to ensure there is no erosion of fundamental rights and freedoms in Victoria.



There are also sufficient avenues through which an aggrieved citizen can make a complaint without the necessity for a Bill of Rights, e.g. Members of Parliament, Ombudsman, Equal Opportunity Board, as well as the ordinary legal channels.

44 The Committee acknowledges the arguments made regarding the growing power of the Executive. It views with concern the greatly increasing number of regulations being made by the Governor in Council but appreciates that this power has been given to the Governor in Council by the Parliament. It recognizes that there is a need for greater scrutiny by Parliament of legislation and particularly of regulations. The Committee believes that power should reside with the Parliament. The Committee proposes to deal with the aspect of "Growth of the Executive" in more detail in a further progress report on the Constitution Act 1975.

45 The Committee does not believe that a Bill of Rights would overcome the problems of growth in Executive power.

46 Some witnesses in favour of a Bill of Rights told the Committee that such a Bill was, in itself, not a total remedy for ensuring fundamental rights and freedoms and should be used as a supplement to ordinary legislation. The Committee believes this further weakens the argument for such a Bill. The Committee considers that a particular problem can be overcome more effectively by specific legislation rather than by a Bill of Rights.

47 Witnesses against a Bill of Rights argued that such a Bill alone would not assure individuals of the rights and freedoms it purported to guarantee. The Committee agrees with this contention. It considers there is no evidence to suggest that a Bill of Rights would inevitably provide better security against unwarranted invasions of citizens' rights and freedoms than is provided at present.

48 Whilst a Bill of Rights may have commendable objectives, the Committee believes that such a Bill may create more problems than those it is desired to overcome. There is sufficient evidence to suggest that under a Bill of Rights many rights will be less clear than at present because of the difficulty in defining rights and freedoms and how they can be protected. The courts are then placed in the position of having to interpret the provisions of the Bill. This situation would result in many differing interpretations being given by the courts at different times and under varying circumstances.

49 The Committee is particularly concerned with the prospective power which would be given to the judiciary in interpreting the provisions of a Bill of Rights. It is noted that in the United States where the Bill of Rights has a high degree of generality and abstraction the operation of the courts has in some cases become practically unworkable and the courts have entered into questions of policy. This development in the United States further supports the argument against a Bill of Rights and reinforces the view that specific legislation is the better method of ensuring the preservation of fundamental rights and freedoms.

50 The Committee considered the suggestion of a non-enforceable broad statement of declaratory principles as an alternative to a Bill of Rights mentioned in paragraph 24 of this Report. Witnesses were in the main against the inclusion of such provision. The Committee sees no merit in this suggestion and considers it would not achieve anything.

51 There is no evidence to suggest that fundamental rights are at risk. The Committee considers that the most effective way of protecting rights is by specific legislation and that there is adequate protection existing at present in the Parliamentary process and in the statute and common law in Victoria. The Committee is also against a Bill of Rights because of the difficulty in defining rights in general terms. It concludes that under a Bill of Rights there is no guarantee that rights can be better protected than at present. The power necessarily given to the courts in interpreting such Bill would be a matter of great concern.

52 In the circumstances, the Committee has not considered the possibility of entrenching a Bill of Rights as outlined in paragraphs 28 to 33 of this Report.

#### Recommendation

53 The Committee believes the argument for a Bill of Rights in Victoria has not been substantiated and therefore recommends that no Bill of Rights be introduced into Victoria.

Committee Room,  
6 December 1979

EXTRACTS FROM THE PROCEEDINGS

The following extracts from the Minutes of the Proceedings of the Committee show Divisions which took place during the consideration of the Draft Report:

THURSDAY, 29 NOVEMBER 1979

Motion - That the following new paragraph be inserted after paragraph 38\*:

B. The evidence given to the Committee suggests that there are two basically different groups of rights which could be included in a Bill of Rights. It was pointed out that although it may be desirable to include socio-economic rights in a Bill of Rights it was regarded as impractical. The Committee agrees with this view and examined the question of a Bill of Rights in the context of rights referred to in paragraph 19 of this Report, namely, civil and political rights.

(Mr. Templeton)

Question - put.

The Committee divided.

Ayes, 6

Noes, 2

Mr. Ebery  
The Hon. J.V.C. Guest  
Mr. McInnes  
Mr. Skeggs  
Mr. Aurel Smith  
Mr. Templeton

Mr. Edmunds  
The Hon. J.M. Walton

And so it was resolved in the affirmative.

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\* Paragraph 38 of the draft report appears as paragraph 39 in this Report. New paragraph B appears in this Report as paragraph 40.

TUESDAY, 4 DECEMBER 1979

Paragraph 41 (as amended)\*

The Committee recognizes that in recent years there has been a substantial growth in the amount of legislation being passed. However it does not believe that this justifies the enactment of a Bill of Rights. The Committee considers that sufficient safeguards exist at present in the Parliamentary process and in both the statute and common law to ensure there is no erosion of fundamental rights and freedoms in Victoria. There are also sufficient avenues through which an aggrieved citizen can make a complaint without the necessity for a Bill of Rights, e.g. Members of Parliament, Ombudsman, Equal Opportunity Board, as well as the ordinary legal channels.

Question - That paragraph 41, as amended, stand part of the Report - put.

The Committee divided.

Ayes, 7

Noes, 4

Mr. Ebery  
The Hon. D.M. Evans  
Mr. McInnes  
The Hon. N.B. Reid  
Mr. Skeggs  
Mr. Aurel Smith  
Mr. Templeton

The Hon. Joan Coxsedg  
Mr. Edmunds  
The Hon. J.M. Walton  
Mr. Wilton

And so it was resolved in the affirmative.

\* \* \*

Paragraph 42 (as amended)+

The Committee does not believe that a Bill of Rights would overcome the problems of growth in Executive power.

Question - That paragraph 42, as amended, stand part of the Report - put.

The Committee divided.

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\* Paragraph 41 of the draft report appears as paragraph 43 in this Report.

+ Paragraph 42 of the draft report appears as paragraph 45 in this Report.

Ayes, 8

Noes, 4

Mr. Ebery  
The Hon. D.M. Evans  
The Hon. J.V.C. Guest  
Mr. McInnes  
The Hon. N.B. Reid  
Mr. Skeggs  
Mr. Aurel Smith  
Mr. Templeton

The Hon. Joan Coxsedge  
Mr. Edmunds  
The Hon. J.M. Walton  
Mr. Wilton

And so it was resolved in the affirmative.

\* \* \*

WEDNESDAY, 5 DECEMBER 1979

Paragraph 43 (as amended)\*

Some witnesses in favour of a Bill of Rights told the Committee that such a Bill was, in itself, not a total remedy for ensuring fundamental rights and freedoms and should be used as a supplement to ordinary legislation. The Committee believes this further weakens the argument for such a Bill. The Committee considers that a particular problem can be overcome more effectively by specific legislation rather than by a Bill of Rights.

Question - That paragraph 43, as amended, stand part of the Report - put.

The Committee divided.

Ayes, 7

Noes, 2

Mr. Ebery  
The Hon. D.M. Evans  
Mr. McInnes  
The Hon. N.B. Reid  
Mr. Skeggs  
Mr. Aurel Smith  
Mr. Templeton

The Hon. Joan Coxsedge  
The Hon. J.M. Walton

And so it was resolved in the affirmative.

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\* Paragraph 43 of the draft report appears as paragraph 46 in this Report.

Paragraph 44 (as amended)\*

Witnesses against a Bill of Rights argued that such a Bill alone would not assure individuals of the rights and freedoms it purported to guarantee. The Committee agrees with this contention. It considers there is no evidence to suggest that a Bill of Rights would inevitably provide better security against unwarranted invasions of citizens' rights and freedoms than is provided at present.

Question - That paragraph 44, as amended, stand part of the Report - put.

The Committee divided.

Ayes, 7

Noes, 2

Mr. Ebery  
The Hon. D.M. Evans  
Mr. McInnes  
The Hon. N.B. Reid  
Mr. Skeggs  
Mr. Aurel Smith  
Mr. Templeton

The Hon. Joan Coxsedge  
The Hon. J.M. Walton

And so it was resolved in the affirmative.

\* \* \*

Paragraph 45 (as amended)+

Whilst a Bill of Rights may have commendable objectives, the Committee believes that such a Bill may create more problems than those it is desired to overcome. There is sufficient evidence to suggest that under a Bill of Rights many rights will be less clear than at present because of the difficulty in defining rights and freedoms and how they can be protected. The courts are then placed in the position of having to interpret the provisions of the Bill. This situation would result in many differing interpretations being given by the courts at different times and under varying circumstances.

Question - That paragraph 45, as amended, stand part of the Report - put.

The Committee divided.

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\* Paragraph 44 of the draft report appears as paragraph 47 in this Report.

+ Paragraph 45 of the draft report appears as paragraph 48 in this Report.

Ayes, 8

Noes, 2

Mr. Ebery  
The Hon. D.M. Evans  
The Hon. J.V.C. Guest  
Mr. McInnes  
The Hon. N.B. Reid  
Mr. Skeggs  
Mr. Aurel Smith  
Mr. Templeton

The Hon. Joan Coxsedg  
The Hon. J.M. Walton

And so it was resolved in the affirmative.

\* \* \*

Paragraph 46 (as amended)\*

The Committee is particularly concerned with the prospective power which would be given to the judiciary in interpreting the provisions of a Bill of Rights. It is noted that in the United States where the Bill of Rights has a high degree of generality and abstraction the operation of the courts has in some cases become practically unworkable and the courts have entered into questions of policy. This development in the United States further supports the argument against a Bill of Rights and reinforces the view that specific legislation is the better method of ensuring the preservation of fundamental rights and freedoms.

Question - That paragraph 46, as amended, stand part of the Report - put.

The Committee divided.

Ayes, 7

Noes, 2

Mr. Ebery  
The Hon. D.M. Evans  
The Hon. J.V.C. Guest  
Mr. McInnes  
The Hon. N.B. Reid  
Mr. Skeggs  
Mr. Aurel Smith

The Hon. Joan Coxsedg  
The Hon. J.M. Walton

And so it was resolved in the affirmative.

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\* Paragraph 46 of the draft report appears as paragraph 49 in this Report.

THURSDAY, 6 DECEMBER 1979

Paragraph 47 (as amended)\*

The Committee considered the suggestion of a non-enforceable broad statement of declaratory principles as an alternative to a Bill of Rights mentioned in paragraph 24 of this Report. Witnesses were in the main against the inclusion of such provision. The Committee sees no merit in this suggestion and considers it would not achieve anything.

Question - That paragraph 47, as amended, stand part of the Report - put.

The Committee divided.

Ayes, 5

Noes, 3

- Mr. Ebery
- The Hon. D.M. Evans
- The Hon. J.V.C. Guest
- The Hon. N.B. Reid
- Mr. Aurel Smith

- Mr. Edmunds
- Mr. McInnes
- The Hon. J.M. Walton

And so it was resolved in the affirmative.  
\* \* \*

Motion - That the following new paragraph be inserted after paragraph 47+:

E. There is no evidence to suggest that fundamental rights are at risk. The Committee considers that the most effective way of protecting rights is by specific legislation and that there is adequate protection existing at present in the Parliamentary process and in the statute and common law in Victoria. The Committee is also against a Bill of Rights because of the difficulty in defining rights in general terms. It concludes that under a Bill of Rights there is no guarantee that rights can be better protected than at present. The power necessarily given to the courts in interpreting such Bill would be a matter of great concern.

(The Hon. N.B. Reid)

Question - put.

The Committee divided.

\* Paragraph 47 of the draft report appears as paragraph 50 in this Report.  
+ New paragraph E appears in this Report as paragraph 51.



Ayes, 7

Noes, 2

Mr. Ebery  
The Hon. D.M. Evans  
The Hon. J.V.C. Guest  
Mr. McInnes  
The Hon. N.B. Reid  
Mr. Skeggs  
Mr. Aurel Smith

Mr. Edmunds  
The Hon. J.M. Walton

And so it was resolved in the affirmative.

\* \* \*

Paragraph 49 (as amended)\*

The Committee believes the argument for a Bill of Rights in Victoria has not been substantiated and therefore recommends that no Bill of Rights be introduced into Victoria.

Question - That paragraph 49, as amended, stand part of the Report - put.

The Committee divided.

Ayes, 7

Noes, 2

Mr. Ebery  
The Hon. D.M. Evans  
The Hon. J.V.C. Guest  
Mr. McInnes  
The Hon. N.B. Reid  
Mr. Skeggs  
Mr. Aurel Smith

Mr. Edmunds  
The Hon. J.M. Walton

And so it was resolved in the affirmative.

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\* Paragraph 49 of the draft report appears as paragraph 53 in this Report.

STATUTE LAW REVISION COMMITTEE

REPORT

ON THE

IMPERIAL ACTS APPLICATION BILL

IMPERIAL LAW RE-ENACTMENT BILL

AND THE

CONSTITUTIONAL POWERS (REQUEST) BILL

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*Ordered to be printed*

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Parliamentary Paper  
D-No.10/1979.

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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TUESDAY 29 MAY 1979

- 11 STATUTE LAW REVISION COMMITTEE - The Honorable A.J. Hunt moved, by leave, That the Honorables D.M. Evans, J.V.C. Guest, N.B. Reid, J.M. Walton and D.R. White\* be members of the Statute Law Revision Committee, and that the said Committee have power to send for persons, papers and records.

Question - put and resolved in the affirmative.

WEDNESDAY 18 JULY 1979

- 17 STATUTE LAW REVISION COMMITTEE - The Honorable A.J. Hunt moved, by leave, That the Honorable Joan Coxsedge be a member of the Statute Law Revision Committee, and that the said Committee have power to send for persons, papers and records.

Question - put and resolved in the affirmative.

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\*The Honorable D.R. White ceased to be a Member of the Legislative Council on 14 July 1979 on expiry of his term. He was not re-appointed to the Committee after being sworn in for a new term as a Member of the Legislative Council.

EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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TUESDAY 29 MAY 1979

- 35 STATUTE LAW REVISION COMMITTEE - Motion made, by leave, and question - That Mr Ebery, Mr Edmunds, Mr McInnes, Mrs Patrick, Mr Skeggs, Mr Smith (*South Barwon*) and Mr Wilton be Members of the Statute Law Revision Committee; and that the Committee have power to send for persons, papers and records (*Mr Hamer*)- put and agreed to.

TUESDAY 16 OCTOBER 1979

- 12 STATUTE LAW REVISION COMMITTEE - Motion made, by leave, and question - That Mrs Patrick be discharged from attendance on the Statute Law Revision Committee and that Mr Templeton be appointed in her stead (*Mr Maclellan*) - put and agreed to.
-



REPORT

THE STATUTE LAW REVISION COMMITTEE, appointed pursuant to the provisions of the Parliamentary Committees Act 1968, has the honor to report as follows:

1 On 5 June 1979, the Imperial Acts Application Bill, Imperial Law Re-enactment Bill and the Constitutional Powers (Request) Bill were initiated and read a first time in the Legislative Council. On 6 June, the House resolved to permit the second readings of those Bills to be moved and debated concurrently. The Attorney-General subsequently gave his second reading speech and the debate was adjourned. On 12 June, the debate was resumed and adjourned and the House resolved that the proposals contained in these three Bills be referred to the Statute Law Revision Committee for examination and report.

2 Appended to this Report are the Minutes of Evidence\* of the following witnesses who appeared before the Committee during the Inquiry:

Mr. J.C. Finemore, O.B.E., Q.C., Chief  
Parliamentary Counsel; and

Mrs. Gretchen Kewley, Research Associate,  
Monash University.

3 In his second reading speech the Attorney-General told the House that the introduction of these three Bills was an important step in enabling Victoria to become master of its own statute book and that the Bills presented a comprehensive law which would remove many Imperial Acts which were now redundant, repugnant or irrelevant.

4 The Bills seek to give effect to the recommendations made by the Statute Law Revision Committee in its Report upon the Imperial Acts Application Act 1922 (Victorian Parliamentary Paper, D. 3, Session 1978). In that Report the Committee examined the recommendations made by Mrs. Gretchen Kewley in her Report upon the Imperial Acts Application Act 1922 (Victorian Parliamentary Paper, C. 3, Session 1974-75).

5 In its Report, the Statute Law Revision Committee made three main recommendations which are:

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\*Minutes of Evidence not printed.

- (a) Acts to be repealed -
- (i) Acts recommended for repeal by Mrs. Kewley (paragraph 12);
  - (ii) Acts upon which Mrs. Kewley made no recommendation, but which the Committee recommended should be repealed (paragraphs 18, 26 and 37);
  - (iii) Acts applying in Victoria by paramount force and therefore unable to be repealed, but which the Committee recommended should be repealed by use of section 51 (xxxviii) of the Commonwealth Constitution (paragraphs 43 and 53).
- (b) Acts to be replaced or preserved in modern form (paragraphs 13, 14 and 42).
- (c) Acts to be preserved in their existing form (paragraphs 24 and 32).

6 The Imperial Acts Application Act 1922 repeals all Imperial enactments in force in England at the time of Act 9 George IV. chapter LXXXVIII so far as they are in force in Victoria and so far as the Victorian Parliament has the power to repeal them, but there are exempted from this repeal the transcribed enactments mentioned in the First Schedule and the certain other enactments mentioned in the Second Schedule.

7 The Attorney-General told the House that the broad object of the Act was to indicate, so far as possible, what Imperial statutes remained in force in Victoria. Enactments which could readily be consolidated, and which were free from doubt as to their operation in Victoria, were re-enacted in Part III of the Act. Other Imperial enactments which might be considered in force in Victoria were listed in the First and Second Schedules to the Act. He further said that the statutes in the First Schedule were also transcribed in Part II of the Act as being of more practical importance than those in the Second Schedule.

#### IMPERIAL ACTS APPLICATION BILL

8 The Imperial Acts Application Bill is the first stage of implementing the recommendations of the Statute Law Revision Committee. The substance of the Bill is to repeal many Imperial Acts now appearing in Parts I and II of the Imperial Acts Application Act 1922 which are considered to be obsolete and unnecessary and to also transcribe thirteen Acts which are to be preserved in their existing form. Those Acts relate to the following subject-matters:

- (a) Division 1 - Elections
- (b) Division 2 - Habeas Corpus
- (c) Division 3 - Justice and Liberty
- (d) Division 4 - Monopolies
- (e) Division 5 - Royal Marriages

The Committee now proposes to deal with each of those Divisions in detail.

#### Division 1 - Elections

Act (1275) 3 Edward I. (Statute of Westminster the First)  
c. V.

9 This Act expressed the fundamental principle that voters should be free from interference. In his second reading speech the Attorney-General said that consideration of this Act had raised doubts as to whether it should be retained having regard to the differing situations as to electoral law in England and Victoria. He added that in the circumstances it appeared that the best course was to preserve the Act in its existing form for the time being.

10 In her Report, Mrs. Kewley made the following comment regarding this Act:

*In Victoria, where safeguards against illegal practices in parliamentary elections are provided in The Constitution Act Amendment Act 1958, but no similar provisions are made in the Local Government Act 1958, for municipal elections, it seems advisable to retain the 1275 Act as a general statutory safeguard protecting the freedom of election.*

*It may be advisable to give consideration to amending the Local Government Act 1958, to incorporate provisions relating to the offences of bribery, treating and intimidation, superseding the common law electoral offences. With modern provisions in both The Constitution Act Amendment Act 1958 and the Local Government Act 1958, safeguarding the freedom of both parliamentary and municipal elections, the continued operation of the 1275 Act may then come under review again.*

No specific comments regarding this Act were made in evidence to the Committee. The Committee, however, concurs with the views expressed by the Attorney-General and considers that it is desirable to preserve the Act, at least for the time being.



## Division 2 - Habeas Corpus

Acts (1640) 16 Charles I. c. X.

(1679) 31 Charles II. c. II. ss. 1-9, 11-13, 15-20.

(1816) 56 George III. c. C.

11 In its previous Report the Statute Law Revision Committee described these Acts as having fundamental historical and constitutional importance of such magnitude that they should be retained. The 1640 Act confirmed and regulated by statute the common law right to a writ of habeas corpus and abolished the Court of Star Chamber. The 1679 Act was passed to prevent devices evading the common law right to the writ of habeas corpus. It further regulated certain procedures such as the granting and issuing of a writ and it applied only in criminal cases. The 1816 Act was passed to more effectively serve "the liberty of the subject".

12 In evidence to the Committee, Mrs. Kewley suggested that only section VIII (on page 8 of the Bill) of the 1640 Act be retained and that the remainder of that Act together with the 1679 and 1816 Acts be repealed. She told the Committee that the 1640 Act appeared transcribed for the first time in this Bill and that only section VIII dealt with the writ of habeas corpus. She added that the 1640 Act, as transcribed in the Bill, had been taken from the earliest versions of the Act, the provisions of which were numbered by means of roman numerals. In the Revised Edition of the statutes (which Sir Leo Cussen used when preparing the Imperial Acts Application Act 1922) section VIII became section 6. Section VIII was therefore known as section 6 and Mrs. Kewley told the Committee that in her Report she had recommended that if the Habeas Corpus Acts were to be preserved in Victoria, then only section 6 of the 1640 Act, which dealt with habeas corpus, should be retained.

13 In support of her contention, Mrs. Kewley submitted that only section 6 of the 1640 Act has been preserved in New South Wales and that the whole Act had been repealed in England. She added that although there was no disadvantage in retaining the whole Act if only from an historical point of view, retaining it in full only complicated the reading of the Bill.

14 Mr. Finemore told the Committee that the whole Act needed to be retained to understand its significance, in particular the section relating to the abolition of the Court of Star Chamber. He added that whilst the 1640 Act is part of Victoria's law there could never be another Court of Star Chamber set up by executive decree.

15 The Committee considers that the three Habeas Corpus Acts should be retained in full. Although they have little practical effect nowadays their historical significance is of such value to warrant their retention as they appear transcribed in Division 2 of the Imperial Acts Application Bill.

### Division 3 - Justice and Liberty

Acts (1297) 25 Edward I. (Magna Carta) c. XXIX.

(1351-2) 25 Edward III. St. V. c. IV.

(1354) 28 Edward III. c. III.

(1368) 42 Edward III. c. III.

(1405-6) 7 Henry IV. c. I.

(1627) 3 Charles I. c. I.

(1688) 1 William and Mary SESS. II. c. II.

16 The 1297 Act was a confirmation and revision of the Magna Carta of 1215 under King John. The 1627 Act was the Petition of Right which secured the supremacy of the law and the liberties of the people. This Act recited the Magna Carta and similar enactments, and provided that the King had no right to billet soldiers without the consent of the householders or to levy loans and taxes without the consent of Parliament, or to commit any person to prison.

17 The Bill of Rights of 1688 was an Act "declaring the rights and liberties of the subject and settling the succession of the Crown". It was enacted to limit executive power. The other statutes re-affirmed the principles of the Magna Carta and certain declarations confirming "the customary liberties of the period". The Attorney-General told the House that these Acts were constitutionally important at the time of their being passed and that they remained in force in England though with no operative effect.

18 Mrs. Kewley made a number of comments to the Committee in respect of the 1627 and 1688 Acts. With regard to the 1627 Act she told the Committee that this statute was the famous Petition of Right which was presented to Charles I. soon after his accession to the throne. She submitted that it may be convenient to identify the statute as the Petition of Right in the Bill and in the Schedule to the Bill, e.g. (1627) 3 Charles I. (Petition of Right) c. I., or (1627) 3 Charles I. c. I. (Petition of Right). Mr. Finemore agreed with Mrs. Kewley's suggestion.

19 The Committee noted that the Magna Carta is identified by its title in the Bill and considers that it would be desirable to follow the same course with the Petition of Right. It therefore recommends that the Bill be amended to include the title Petition of Right in the citation of the 1627 Act on page 21 and also in the Schedule on page 33 of the Bill.

20 Mrs. Kewley also told the Committee that the 1627 Act was transcribed for the first time in the Imperial Acts Application Bill, and that the roman numerals used to identify its provisions are those used in the earlier versions of statutes. She submitted that, in accordance with the method adopted by Sir Leo Cussen when transcribing Imperial statutes in the Imperial Acts Application Act 1922, and for the sake of consistency in the Bill, it was advisable to transcribe the Petition of Right from later versions of the statutes, using Arabic numbers. If this suggestion were adopted, sections II, III, IV, V and VI would become sections 2, 3, 4, 5 and 6. Sections VII, VIII and IX would be combined as section 7 and sections X and XI would become section 8.

21 Mr. Finemore had no objection to Mrs. Kewley's suggestion. The Committee also agrees with Mrs. Kewley and therefore recommends that the Bill be amended accordingly.

22 In her evidence, Mrs. Kewley also passed comment upon the 1688 Act. She told the Committee that this Act, the Bill of Rights, was transcribed fully for the first time in the Imperial Acts Application Bill although the general declarations of rights and liberties which it contains are set out in part as a footnote to the Second Schedule to the Imperial Acts Application Act 1922.

23 Mrs. Kewley told the Committee that in the declaration of rights and liberties on page 26 of the Bill declaration 7, namely, "That the subjects which are protestants, may have arms for their defence suitable to their conditions, and as allowed by law" had been omitted. That declaration had also been omitted from the footnote to the Second Schedule to the Imperial Acts Application Act 1922 in the belief that it might conflict with Victorian law on the carrying of firearms. Mrs. Kewley submitted that the declaration should be included in the 1688 Act as transcribed in the Bill so that the Bill of Rights could be read as a whole. She went on to say that any conflict with current Victorian law relating to firearms was avoided by the words appearing at the end of the declaration, i.e. "as allowed by law".

24 Mr. Finemore was in agreement with Mrs. Kewley. The Committee also agrees with the witnesses. It considers that the arguments for omitting the declaration from the Imperial Acts Application Act 1922 are not now relevant. The Committee therefore recommends that the Bill be amended to include declaration 7 in the general declaration of rights and liberties on page 26.

25 Mrs. Kewley also drew the Committee's attention to declaration 11, namely, "That jurors ought to be duly impannelled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders". She told the Committee that the words "and jurors which pass upon men in trials for high treason ought to be freeholders" had been repealed in England in 1825. Accordingly, the only operative part of the declaration inherited by Victoria was the first part, "That jurors ought to be duly impannelled and returned". Therefore she submitted that the remaining words should be omitted from the Bill.

26 Mr. Finemore told the Committee that, whilst those words were of no significance and had already been repealed by implication in the Juries Act 1967, if the Bill was to be considered as an historical or traditional document, it would do no harm to retain them as the transcription did not give them any more or less effect than they had before the Bill was passed.

27 The Committee agrees with Mrs. Kewley. It considers that as the aim of the Bill is to remove as much dead wood as possible from the statute book, it would not be consistent with that aim to include a provision that has been repealed in England and in fact has not ever been in operation in Victoria. The Committee therefore recommends that the Bill be amended to omit the words "and jurors which pass upon men in trials for high treason ought to be freeholders" in declaration 11 on page 26 of the Bill.

28 Mrs. Kewley also drew the Committee's attention to page 30 of the Bill in which there is a provision of the 1688 Act numbered 12 relating to dispensations non obstante (dispensations notwithstanding any law to the contrary). She told the Committee that the words "shall be allowed but that the same" had been inadvertently omitted from line 4 of the provision which should then read as follows:

12. And be it further declared and enacted by the authority aforesaid, That from and after this present session of Parliament, no dispensation by non obstante of or to any statute, or any part thereof, shall be allowed but that the same shall be held void and of no effect, except a dispensation be allowed of in such statute, and except in such cases as shall be specially provided for by one or more bill or bills to be passed during this present session of Parliament.

29 The Committee agrees with the suggestion of Mrs. Kewley and recommends that the Bill be amended accordingly.

30 Mrs. Kewley also suggested that it may be convenient to identify the 1688 Act as the Bill of Rights at the outset and also in the Schedule to the Bill as has been recommended in relation to the Petition of Right, e.g. (1688) 1 William and Mary Sess. II. (Bill of Rights) c. II or (1688) 1 William and Mary Sess. II. c. II (Bill of Rights). Mr. Finemore was also in favour of the suggestion.

31 The Committee considers the suggestion to be a sensible one and accordingly recommends that the Bill be amended to include the title Bill of Rights in the citation of the 1688 Act on page 24 and also in the Schedule on page 33 of the Bill.

#### Division 4 - Monopolies

Act (1623-4) 21 or 21 and 22 James I. c. III. ss. 1, 6.

32 The 1623-4 Act had the object of limiting monopolies which had been granted, and it defined the circumstances in which the royal prerogative might be exercised in future. This Division seeks to give effect to the recommendations in paragraph 32 of the Statute Law Revision Committee's previous Report in which it was recommended that sections 1 and 6 only of the 1623 Act be preserved for their historical significance and because of the prohibition therein of monopolies generally despite the fact that Commonwealth patents legislation applies in Victoria.

33 Mrs. Kewley told the Committee that the transcription of the 1623-4 Act was not strictly confined to sections 1 and 6 but also contained extraneous material which should be removed leaving only that part specifically relating to monopolies. She added that the part of the statute concerning "dispensations with penal laws and the forfeiture thereof" was unnecessary and should be deleted. She submitted that as a result the statute would read as follows:

(1623-4) 21 or 21 and 22 James I. c.III, ss. 1, 6.  
An Act concerning monopolies. . .

1. All monopolies, and all commissions, grants, licences, charters and letters patents heretofore made or granted, or hereafter to be made or granted, to any person or persons, bodies politick or corporate whatsoever, of or for the sole buying, selling, making, working or using of any thing within this realm, . . . or of any other monopolies, or of power, liberty or faculty to dispense with any others. . . are altogether contrary to the laws of this realm, and so are and shall be utterly void and of none effect, and in no wise to be put in use or exception.
  
6. Provided. . . that any declaration before mentioned shall not extend to any letters patents and grants of privilege for the term of fourteen years or under, hereafter to be made, of the sole working or making of any manner of new manufactures within this realm, to the true and first inventor or inventors of such manufactures, which others at the time of making such letters patents and grants shall not use, so as also they be not contrary to the law, nor mischievous to the State, by raising prices of commodities at home, or hurt of trade, or generally inconvenient: The said fourteen years to be accounted from the date of the first letters patents, or grant of such privilege hereafter to be made, but that the same shall be of such force as they should be, if this act had never been made, and of none other.

34 In his evidence, Mr. Finemore submitted that sections 1 and 6 had been transcribed because of their constitutional and historical importance and not through their practical importance. He added that there was perhaps a case for omitting the 1623-4 Act completely because patents was now a subject for determination by the Commonwealth Parliament. The Act's significance was in the fact that Parliament declared in 1623 that the Crown did not have the power to grant exclusive rights to any citizen. He concluded by favouring retaining sections 1 and 6 as introduced in the Bill.

35 The Committee agrees with Mr. Finemore's approach. While it agrees that sections 1 and 6 have no practical importance, it considers their historical significance to be sufficient to warrant their retention in the Bill.

#### Division 5 - Royal Marriages

Act (1772) 12 George III. c. XI.

36 This Act stipulated the conditions under which the Royal Family can validly marry and it is intended to guard against undesirable marriages which might affect the succession to the throne. The Attorney-General told the House that, having regard to the nature and purpose of this Act, it was not considered appropriate that the Victorian Parliament should do otherwise than preserve it in its existing form.

37 In her Report, Mrs. Kewley recommended that sections 1 and 2 of the 1772 Act, which remain in force in England today, should be retained as provisions of constitutional importance in Victoria. The Bill gives effect to that recommendation.

38 Mrs. Kewley made no further comment on this Act in evidence to the Committee. Mr. Finemore told the Committee that to repeal the Act could create a situation in which the King or Queen of Victoria could be different from the King or Queen of England. He cited as an example the situation arising if Prince Charles were to marry a Catholic: he would then be unable to be King of England but, if the 1772 Act was repealed he could theoretically still be King of Victoria. He concluded by saying that to repeal the Act would be an "incredibly adventurous exercise in constitutional law".

39 The Committee agrees with Mr. Finemore's comments and therefore considers it desirable to retain the Act because of its constitutional importance.

#### Conclusions

40 Mr. Finemore told the Committee that the primary question in considering this Bill was whether the Imperial Acts dealt with in the Bill should be transcribed or alternatively listed in a schedule to the Bill indicating only the titles and with a provision that such Acts if they were enforced would continue to have the same effect as they had prior to the passing of the Bill. Mr. Finemore, in favouring the alternative of transcribing such Acts, told the Committee that the Acts were significant Acts in Australian

constitutional history and furthermore they were not readily available in Australia. He submitted that teachers in the Universities and in secondary schools where constitutional history and law is being taught would find the Acts of great help if they were readily available as part of the law.

41 Both Mr. Finemore and Mrs. Kewley were of the opinion that it was not possible to translate the language of the Acts to be preserved by this Bill into modern English. Mrs. Kewley told the Committee that the Acts should be preserved in their original form because of their historical significance and that an attempt to translate the provisions would result in their losing their meaning. The Committee agrees with the evidence submitted by both witnesses on this aspect.

42 The Committee's attention was drawn to a deficiency in the Bill. Mr. Finemore advised the Committee that the aim of repealing all Imperial Acts not transcribed in the Imperial Acts Application Act 1922 or subsequently preserved or re-enacted could be achieved by inserting a new clause in the Imperial Acts Application Bill to replace section 7 of that Act. He pointed out that section 7 was not an ordinary repealing provision which would remain unaffected in its operation when it was itself repealed because section 6 of the same Act deems the Imperial Acts set out in the Second Schedule (but not transcribed) to be "unaffected" by section 7. Thus the repeal of the whole of the Imperial Acts Application Act 1922 would leave the Second Schedule Acts in force apart from any subsequent legislation which may have affected them.

43 The Committee accepts Mr. Finemore's advice. Accordingly, to give full effect to the purposes of the Bill and the previous recommendations of the Statute Law Revision Committee, the Committee recommends that the Bill be amended by the insertion of a suitable replacement for section 7 of the Imperial Acts Application Act 1922.

44 From its examination of the Imperial Acts Application Bill the Committee has concluded that the Bill achieves its stated objective of preserving and making readily accessible those Imperial statutes which are of constitutional or historical significance in Victoria. Having considered the amendments to the Bill suggested by Mrs. Kewley and Mr. Finemore's comments thereon, the Committee recommends that the Imperial Acts Application Bill be passed into law subject to the amendments outlined in paragraphs 19, 21, 24, 27, 29, 31 and 43 of this Report.



## IMPERIAL LAW RE-ENACTMENT BILL

45 The Imperial Law Re-enactment Bill implements the recommendations of the Statute Law Revision Committee as to the Imperial Acts which are either to be replaced or to be preserved in modern form.

46 The Bill proposes to amend the Crimes Act 1958, Evidence Act 1958, Magistrates (Summary Proceedings) Act 1975, Marriage Act 1958, Property Law Act 1958 and the Supreme Court Act 1958 by re-enacting in modern form various Imperial enactments as well as repealing Part III of the Imperial Acts Application Act 1922, which is the only Part of that Act not proposed to be repealed by the Imperial Acts Application Bill.

47 Clause 2 of the Bill proposes several amendments to the Crimes Act 1958 as follows:

- (a) Paragraph (a) inserts a new section 9A, dealing with treasonable offences;
- (b) Paragraph (b) inserts new sections 70A-70D, dealing with piracy offences;
- (c) Paragraph (c) proposes amendments to section 1 which are consequential upon the amendments made by the preceding paragraphs;
- (d) Paragraph (d) repeals the now obsolete section 355 which preserved the common law power of the Attorney-General to prosecute by way of criminal information;
- (e) Paragraph (e) inserts a new section 420A dealing with matters relating to the trial of persons charged with unlawful publication of defamatory matter;
- (f) Paragraph (f) inserts a new section 469AA dealing with the powers of the Court upon conviction of persons for criminal libel;
- (g) Paragraph (g) inserts new sections 479A and 479B dealing with offences of rescue, or attempted rescue of a prisoner, and aiding or facilitating the escape of a prisoner;
- (h) Paragraph (h) inserts a new section 543A which deals with the treatment of convicted felons after serving sentence.

48 Clause 3 of the Bill proposes the insertion of a new section 110A of the Evidence Act 1958 which empowers a justice to administer an oath or affirmation under an Act directing a penalty to be levied or distress made. Clause 4

proposes the insertion of a new section 150A in the Magistrates (Summary Proceedings) Act 1975. It empowers a Magistrates' Court or justice to require persons to give undertakings to keep the peace or to be of good behaviour.

49 Clause 5 proposes amendments to the Marriage Act 1958. Paragraph (a) repeals section 137 of that Act, which deals with guardians. This section is rarely invoked in practice and the necessary provision is made by the new section 139 proposed by paragraph (b) of clause 5. Paragraph (b) substitutes a new section 139 which makes provisions for the rights, powers and duties of a guardian of the estate of a minor.

50 Clause 6 proposes to amend the Property Law Act 1958. Paragraph (a) inserts a new section 18A which deals with assurances of Crown land. Paragraph (b) inserts a new section 19A relating to the creation of equitable interests in land and with resulting trusts arising from voluntary conveyancing of land. Paragraph (c) inserts a new section 132A. It relates to waste by tenants, i.e. an act or omission which causes damage to property or which alters its nature.

51 The Attorney-General told the House that the proposed new section 19A of the Property Law Act 1958 gave effect to the recommendation of Mrs. Kewley in her Report that the Property Law Act 1958 be amended to incorporate the new provisions before the Statute of Uses Act (1535-6) 27 Henry VIII. c. X. ss. 1, 2, 3, 8, was repealed. He added that it had not been considered necessary to make consequential amendments to section 60 of the Act as suggested by Mrs. Kewley.

52 Clause 7 of the Bill proposes amendments to the Supreme Court Act 1958. Paragraph (a) inserts a new subsection (1B) of section 62. With certain exceptions it makes void the service of legal process on Sundays. Paragraph (b) inserts a new section 80A which makes new provisions relating to the calendar.

53 In its previous Report the Statute Law Revision Committee paid special attention to the Calendar (New Style) Act 1750. Mrs. Kewley had made no recommendation in her Report as to the repeal or otherwise of this Act. The Committee recommended that the 1750 Act be repealed and that a modern provision based on section 16 of the New South Wales Imperial Acts Application Act 1969 be enacted in its place. Proposed section 80A of the Supreme Court Act 1958 seeks to give effect to this recommendation.

54 Mr. Finemore told the Committee that the Imperial Law Re-enactment Bill re-enacted Imperial law provisions which still had some significance. The Bill took some ancient offences, such as treason and privacy and re-enacted them in a comparatively modern form. He added that there may be no need to enact these provisions in Victoria but in his view it was desirable for the Victorian Parliament to maintain its own legislation in these matters. Mr. Finemore concluded by making the point that the Bill did not, in any significant way, propose to alter the law existing in Victoria under the present Imperial Acts.

#### Proposed amendments to the Property Law Act 1958

55 In her evidence to the Committee on the Bill Mrs. Kewley commented only upon the proposed amendments to the Property Law Act 1958. These amendments are designed to replace Acts (1289-90) 18 Edward I. (Quia Emptores) c. 1 and (1535-6) 27 Henry VIII. c. X. ss. 1, 2, 3, 8 (the Statute of Uses).

56 Mrs. Kewley told the Committee that there was concern in some quarters about the simple replacement of the Statute of Uses, as proposed by the Bill, which could complicate conveyancing procedures. It had been suggested to her that there was a need for further amendments to be made to the Property Law Act 1958 at this stage to overcome problems that may arise in relation to trusts and executory interests by the repeal of the Statute of Uses. As a result, Mrs. Kewley suggested that as the Property Law Act 1958 was under review, it may be desirable to retain the Quia Emptores and the Statute of Uses for the time being and that they be dealt with together with the provisions of the Property Law Act 1958 in due course. Mr. Finemore told the Committee that the review of the Property Law Act 1958 was a very long term exercise and that if there was any doubt about the effect of repealing the two Imperial Acts they should at least be retained for the time being.

57 The Committee decided to examine further the query raised by Mrs. Kewley. In a letter dated 15 October 1979, Mrs. Kewley told the Committee that because the review of the Property Law Act 1958 was of such a long term nature, she was now of the view that "it was important to go ahead now and repeal, re-enact or replace the Imperial statutes on real property by means of the Imperial Law Re-enactment Bill in order to complete, so far as possible, the 'tidying up' process of Imperial legislation in force in Victoria".

58 In her letter Mrs. Kewley suggested that clause 6(a) of the Bill, which replaces the Quia Emptores and proposes a new section 18A in the Property Law Act 1958, be amended to include a new section 18B, to replace section 4 of the Tenures Abolition Act 1660. That Act is closely related to Quia Emptores. She further submitted that as New South Wales and Queensland had replaced section 4 of the 1660 Act with a modern provision which provided a convenient precedent, proposed section 18B could read as follows:

*18B. All tenures created by the Crown upon any grant in fee simple shall be taken to be in free and common socage without any incident of tenure for the benefit of the Crown.*

Mrs. Kewley said in her letter that she had put this suggestion to Mr. Finemore. She also told the Committee that the effect of repeal of the Statute of Uses was being examined by Ms. Jude Wallace, Lecturer in Law at Monash University who was undertaking the review of the Property Law Act 1958.

59 The Committee received a letter dated 19 October 1979 from Mr. Finemore concerning the points raised by Mrs. Kewley. As a result of his discussions with Ms. Wallace, Mr. Finemore had concluded that it was not necessary to include a provision similar to those adopted in New South Wales and Queensland in relation to feudal tenure. He said that such a provision was purely declaratory and would serve no practical purpose in Victoria. However, Mr. Finemore concluded that in the course of a complete revision of the Property Law Act 1958, such a declaratory provision might be seen as desirable. Mr. Finemore also advised the Committee that there was no need at this stage to further amend the Property Law Act 1958.

60 Mr. Finemore suggested an amendment to clause 6(b) of the Bill in relation to proposed section 19A of the Property Law Act 1958 which would deal with problems that have existed since 1928. The amendment would involve adding to section 19A a new sub-section (4) as follows:

*(4) Sub-section (3) does not limit or affect the operation of any principle or rule of equity relating to the implication of resulting trusts.*

The Committee recommends that the Imperial Law Re-enactment Bill be amended accordingly.

61 The Committee considers that no further amendment of the Property Law Act 1958 is necessary at this stage. Any suggestions for additional amendment should be considered in the course of the general review of this Act. The Committee is satisfied that Quia Emptores and the Statute of Uses should now be repealed.

Proposed re-enactment of the Calendar (New Style) Act 1750

62 The Committee also decided to examine further the provisions of clause 7(b) of the Bill which propose to re-enact the Calendar (New Style) Act 1750 in the Supreme Court Act 1958.

63 In its previous Report the Committee recommended that the 1750 Act be repealed for Victoria and that a modern provision based on section 16 of the New South Wales Imperial Acts Application Act 1969 be enacted in its place. However, the Committee has since received evidence to suggest that it may now be inappropriate to re-enact this Act.

64 Mr. Finemore advised the Committee that proposed new section 80A of the Supreme Court Act 1958 was the same provision as section 16 of the New South Wales Imperial Acts Application Act 1969. However, Mr. Finemore pointed out that an inaccuracy in the Table to the 1750 Act for determining Easter Day, which had been noticed by the New South Wales Law Reform Commission, had not been corrected and in fact New South Wales had merely re-enacted the 1750 Act by reference without any alteration to the Table.

65 As the proposed new section makes reference to the Table of the 1750 Act which was known to be inaccurate the Committee endeavoured to find a method of overcoming the problem. The alternatives appeared to be:

- (a) to re-enact the provision in modern form (as proposed by the Bill);
- (b) to preserve the Act and Tables in the 1750 form and insert them in the Imperial Acts Application Bill and consequently omit the provision proposed to be re-enacted;
- (c) to repeal the provision to be re-enacted - the result of which would be no provisions relating to the calendar in Victoria; and
- (d) to re-enact the provision in modern form with amendments designed to correct the inaccuracy in the Table.

66 Although the 1750 Act is still in force in England the references to the Table of Lessons were repealed in 1971. The Committee therefore considers it not desirable to preserve the Act and Tables as this would appear to be a retrograde step in an exercise designed to clear as much obsolete and unnecessary legislation as possible from our statute books.

67 In his evidence, Mr. Finemore suggested that the proposed new section be omitted from the Bill. He told the Committee that the calendar was so well established that it was unlikely to be the subject of challenge and further that Easter would continue to be determined by the Prayer Book and not by the original 1750 enactment. He further advised the Committee that it was not practical to correct the inaccuracy in the Table and then re-enact it in Victoria.

68 Because of the evidence it has received since the previous Inquiry, the Committee now considers it undesirable to re-enact the 1750 Act in the form proposed by the Bill. There are also no practical reasons for retaining legislative provisions relating to the calendar in Victoria which would only be needed if the community's existing linguistic practices in relation to the calendar were uncertain or otherwise inconvenient. The Committee therefore recommends that clause 7(b) and 7(c) of the Bill be omitted.

### Conclusions

69 The Committee considers that the provisions of the Imperial Law Re-enactment Bill adequately give effect to the recommendations contained in its previous Report. The Bill re-enacts those Imperial provisions which it is considered should still form part of Victorian law. The Committee therefore recommends that the Imperial Law Re-enactment Bill be passed into law subject to the amendment to proposed section 19A of the Property Law Act 1958, and to section 80A of the Supreme Court Act 1958 outlined in paragraphs 60 and 68 of this Report.

### CONSTITUTIONAL POWERS (REQUEST) BILL

70 The Constitutional Powers (Request) Bill seeks to implement the recommendations of the Statute Law Revision Committee outlined in paragraphs 50 to 53 of the previous Report. The Bill is designed to remove the effect of the Colonial Laws Validity Act 1865 which provides that Imperial statutes which are expressed to apply to Victoria cannot be repealed for Victoria even though they might have been repealed in England.

71 The Bill is based upon the following provision contained in section 51 (xxxviii) of the Commonwealth Constitution:

*The Parliament shall, subject to this Constitution, have power to make laws for the peace, order and good government of the Commonwealth with respect to .....*

*(xxxviii) the exercise within the Commonwealth at the request or with the concurrence of the Parliaments of all the States directly concerned, of any power which can at the establishment of this Constitution be exercised only by the Parliament of the United Kingdom or by the Federal Council of Australasia.*

This provision would authorize the Commonwealth Parliament at the request of a State to confer power on the Parliament of that State to legislate repugnantly to Imperial legislation.

72 In his second reading speech on the Bill the Attorney-General made the following comments:

*The Bill is the request that is the condition precedent to the exercise of such power by the Commonwealth Parliament. The Imperial authorities are reluctant to legislate for Australia or the States, and the Commonwealth and State Attorneys-General have on several occasions agreed unanimously that at this stage in the development of Australia it would be undesirable to request the Imperial Parliament to legislate in any way affecting the Constitutions of the Parliaments of Australia.*

73 Clause 2 of the Bill requests the Commonwealth Parliament to enact legislation in the terms set out in the Schedule to the Bill. This requested legislation removes the "repugnancy rule" established by the Colonial Laws Validity Act 1865.

74 Both Mr. Finemore and Mrs. Kewley told the Committee that it was essential that the Bill be passed in order that Victoria gain legislative competence over some areas at present covered by Imperial legislation. Mr. Finemore described the Bill as being the most significant of the three Bills currently before the House. He stressed the point, however, that the Bill was only a request to the Commonwealth Parliament and that its eventual success was dependent upon the attitude of the Commonwealth Government.

## Conclusions

75 In its previous Report, the Statute Law Revision Committee expressed its concern that some Imperial Acts which were no longer operative in the United Kingdom could still be held to apply in Victoria. The Committee went on to say that Victoria should become master of its own statute book and that action be taken to achieve this objective. The Committee considers the Constitutional Powers (Request) Bill to be a major step in overcoming this problem. Both witnesses have commended the Bill and the Committee does not suggest any amendment to it. The Committee therefore recommends that the Constitutional Powers (Request) Bill be passed into law at the first available opportunity.

## SUMMARY OF RECOMMENDATIONS

76 The Committee recommends that:

- (a) the Imperial Acts Application Bill be passed into law subject to the amendments outlined in paragraphs 19, 21, 24, 27, 29, 31 and 43 of this Report;
- (b) the Imperial Law Re-enactment Bill be passed into law subject to the amendments outlined in paragraphs 60 and 68 of this Report; and
- (c) the Constitutional Powers (Request) Bill be passed into law without amendment.

Committee Room,  
13 December 1979





## STATUTE LAW REVISION COMMITTEE

REPORT

ON THE

STATUTE LAW REVISION BILL

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*Ordered to be printed*

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EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS OF THE  
LEGISLATIVE COUNCIL

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TUESDAY 29 MAY 1979

- 11 STATUTE LAW REVISION COMMITTEE - The Honorable A.J. Hunt moved, by leave, That the Honorables D.M. Evans, J.V.C. Guest, N.B. Reid, J.M. Walton and D.R. White\* be members of the Statute Law Revision Committee, and that the said Committee have power to send for persons, papers and records.

Question - put and resolved in the affirmative.

WEDNESDAY 18 JULY 1979

- 17 STATUTE LAW REVISION COMMITTEE - The Honorable A.J. Hunt moved, by leave, That the Honorable Joan Coxsedg be a member of the Statute Law Revision Committee, and that the said Committee have power to send for persons, papers and records.

Question - put and resolved in the affirmative.

WEDNESDAY 17 OCTOBER 1979

- 12 STATUTE LAW REVISION BILL - The Honorable Haddon Storey moved, by leave, That the proposals contained in this Bill be referred to the Statute Law Revision Committee for examination and report.

Question - put and resolved in the affirmative.

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\*The Honorable D.R. White ceased to be a Member of the Legislative Council on 14 July 1979 on expiry of his term. He was not re-appointed to the Committee after being sworn in for a new term as a Member of the Legislative Council.

EXTRACTED FROM THE VOTES AND PROCEEDINGS OF THE  
LEGISLATIVE ASSEMBLY

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TUESDAY 29 MAY 1979

- 35 STATUTE LAW REVISION COMMITTEE - Motion made, by leave, and question - That Mr Ebery, Mr Edmunds, Mr McInnes, Mrs Patrick, Mr Skeggs, Mr Smith (*South Barwon*) and Mr Wilton be Members of the Statute Law Revision Committee; and that the Committee have power to send for persons, papers and records (*Mr Hamer*) - put and agreed to.

TUESDAY 16 OCTOBER 1979

- 12 STATUTE LAW REVISION COMMITTEE - Motion made, by leave, and question - That Mrs Patrick be discharged from attendance on the Statute Law Revision Committee and that Mr Templeton be appointed in her stead (*Mr Maclellan*) - put and agreed to.
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REPORT

The STATUTE LAW REVISION COMMITTEE, appointed pursuant to the provisions of the Parliamentary Committees Act 1968 has the honor to report as follows:

1 On 17 October 1979, the Statute Law Revision Bill - a Bill to revise Statute Law - was initiated and read a first time in the Legislative Council. Later that day, debate on the second reading was adjourned and the proposals contained in the Bill were referred to the Statute Law Revision Committee for examination and report.

2 Mr. S. Hollingworth, Legal Officer, Parliamentary Counsel's Office, appeared before the Committee on 17, 23 and 24 April 1980 and explained the provisions of the Bill. The relevant Minutes of Evidence\* are appended to this Report.

3 The object of a Statute Law Revision Bill is not to deal with matters of policy but to simply ensure that the patent intention of Parliament will be given effect to. It is recognized that the Bill should be confined to matters such as the correction of references, spelling, printing and grammatical errors and amendments which should have been made as consequential amendments simultaneously with the passage of legislation. In examining the Bill the Committee endeavoured to ensure that the items were not of a substantive nature and therefore were within the ambit of a Statute Law Revision Bill.

4 Mr. Hollingworth told the Committee that, in what was a departure from previous practice, the Bill was divided into five separate Schedules. This was because the first four Schedules each contained identical amendments to a number of Acts. The First Schedule contains provisions changing the words "Consolidated Revenue" to "consolidated fund". This change was originally brought about by the Public Account Act 1970. The provisions in the Second Schedule propose a change in the reference "Public Service Act 1958" to "Public Service Act 1974". The Third Schedule involves changing the outdated expression "court of petty sessions" to "magistrates' court" in each of the enactments referred to. The provisions of the Fourth Schedule are necessary because of an error in the Age of Majority Act 1977 and involve changing the words "an minor" to "a minor".

*\*Minutes of Evidence not printed.*

The Fifth Schedule, which is by far the largest in number of items, contains a series of basically unrelated amendments to various Acts.

5 In his evidence, Mr. Hollingworth said that there were a number of items in the Bill which sought to amend various Acts by correcting what he termed "incorrect accessing provisions" in such Acts. In these instances, references in amending Acts to expressions sought to be amended in the Principal Acts were incorrect. Mr. Hollingworth explained that such amendments were therefore ineffective because they attempted to amend expressions in Principal Acts which were in fact inaccurate. The amendments proposed in this Bill simply give effect to the amendments which were proposed at the time they were intended to take effect. This Bill, by virtue of clause 6(2), makes the amendments retrospective to the dates on which such amendments were originally intended to take effect. The incorrect accessing provisions in this Bill relate to the following Acts:

Architects (Professional Conduct) Act 1978  
Cemeteries (Amendment) Act 1977  
Community Welfare Services Act 1978  
Egg Industry Stabilization (Amendment) Act 1977  
Health Commission (Amendment) Act 1978  
Local Government (Miscellaneous Provisions) Act 1978  
Local Government (Promotion of Decentralization)  
Act 1977  
Local Government (Rates and Fees) Act 1978  
Melbourne and Metropolitan Board of Works  
(Reconstitution) Act 1978  
Petroleum (Amendment) Act 1978  
Port of Melbourne Authority Act 1978  
Racing (Amendment) Act 1978  
Railways (Amendment) Act 1978  
Railways (Participation in Pipelines) Act 1977  
State Development Decentralization and Tourism  
Act 1978  
Trustee (Authorized Investments) Act 1978

6 In its examination of the Bill the Committee noted that in some cases the amendments proposed in the Bill appeared to have already been made. Mr. Hollingworth explained that while those errors were evident in the Acts as originally passed such errors had been corrected in subsequent reprints. The Acts affected are:

Administration and Probate Act 1958

Magistrates' Courts Act 1971

Optometrists Registration Act 1958

Sewerage Districts Act 1958

Superannuation Act 1958

Whilst it appreciates the desirability of correcting errors in Acts of Parliament, the Committee views with some concern this practice of altering Acts without the authority of Parliament. It therefore recommends that in future the correction of errors in Acts be only made through the provisions of a Statute Law Revision Bill.

7 Item 70 in the Fifth Schedule proposes to amend the Housing Act 1958 as follows:

*In section 129 for the words "the Director of Housing a Deputy Director Secretary or other officer authorized by the Minister" (wherever occurring) there shall be substituted the words "a member of the Commission or an officer of the Ministry authorized by the Commission".*

The expression to be substituted occurs in both sub-sections (1) and (2) of section 129 of the Housing Act 1958. Mr. Hollingworth told the Committee that section 22 of the Housing (Amendment) Act 1978 (No. 9246) sought to make this amendment to section 129 but that the absence of the words "wherever occurring" precluded the amendment being made to both sub-sections.

8 Mr. Hollingworth advised the Committee that, because of the ambiguity of the reference used in the Housing (Amendment) Act 1978, there was doubt as to the legal effect of that provision, and the amendment now proposed was designed to ensure that the aim of the original amendment was carried out.

9 Item 127 in the Fifth Schedule proposes to amend the Pay-roll Tax Act 1971 as follows:

*In section 5(2) for the words "Secretary for State Development" there shall be substituted the words "Director of State Development Decentralization and Tourism".*

The current Reprint (No. 1 - as at 1 September 1978) of the Pay-roll Tax Act 1971 includes the proposed amendment. Mr. Hollingworth explained that section 8(3) of the



Decentralized Industry Incentive Payments Act 1972 (No. 8383) had amended section 5(2) of the Pay-roll Tax Act 1971 and had subsequently been amended itself by the State Development Decentralization and Tourism Act 1978 (No. 9126) with the intention of substituting the amended expression in the Pay-roll Tax Act 1971. Mr. Hollingworth told the Committee that although the amendment made by Act No. 9126 was included in the Pay-roll Tax Act 1971 it had no effect because Act No. 8383 had been proclaimed before Act No. 9126, hence the necessity for the amendment to be made now.

10 The Committee sought a detailed explanation in respect of Item 185 in the Fifth Schedule which proposes an amendment to the Superannuation (Amendment) Act 1977 (No. 9060) as follows:

*Section 2 and section 3, sub-sections (1), (2) and (3) are repealed.*

Sections 2 and 3(1),(2) and (3) of Act No. 9060 substituted new sections 12(3) and (3AA) and 12A(2) and (4AA) in the Superannuation Act 1958 and also made an amendment to section 12A(4) of that Act. These provisions were subsequently substituted by the Superannuation (Amendment) Act 1978 (No. 9125).

11 The Committee queried the necessity to repeal the provisions of an amending Act which appeared to have been superseded by a later amending Act. Mr. Hollingworth advised the Committee that the amendment was necessary because sections 2 and 3 of Act No. 9060 had not been effectively superseded by Act No. 9125 which had only proposed amendments to the Superannuation Act 1958 and not the repeal of sections 2 and 3(1),(2) and (3) of Act No. 9060. He further advised the Committee that sections 2 and 3 of Act No. 9060 had not been proclaimed and that, should those sections be brought into operation, their provisions would effectively amend the Superannuation Act 1958 and override the later Act (No. 9125). The amendment to Act No. 9060 was necessary to ensure that the Superannuation Act 1958 could not now be amended by sections 2 and 3 of that Act.

12 The Committee accepts Mr. Hollingworth's advice as to the necessity for the amendment. However, in view of the potential effect of Act No. 9060 and the proposed repeal of one whole section and three sub-sections of another section, the Committee considers the amendments are of a substantive nature and are therefore beyond the ambit of a Statute Law Revision Bill. The Committee considers that the amendment would be more appropriate to a separate piece of legislation and therefore recommends that Item 185 in the Fifth Schedule be omitted from the Bill.

13 Mr. Hollingworth advised the Committee that since the Statute Law Revision Bill had been introduced some items were not now necessary because of subsequent legislation passed during the 1979 Spring Session of Parliament. The relevant items in the Bill are Item 5 in the First Schedule (only that part relating to section 37(1) of the State Electricity Commission Act 1958) and Items 74, 178, 180 and 181 in the Fifth Schedule.

14 As a result of its examination of the Bill and the advice of Mr. Hollingworth the Committee considers that, with the exception of Item 185 in the Fifth Schedule, the amendments proposed by the Bill are not of a substantive nature and are confined to the categories mentioned in paragraph 3 of this Report.

15 The Committee's examination of the Bill has shown a necessity for amendments to be made to the Bill. These were accordingly drafted by Mr. Hollingworth and are reproduced as an Appendix to this Report.

16 The Committee considers the suggested amendments should be made to the Bill. Accordingly, the Committee commends the Statute Law Revision Bill to Honorable Members to be passed into law subject to those amendments.

17 This Bill is the first Statute Law Revision Bill since 1977. In order that the statute book can be kept as up-to-date and error free as possible the Committee considers that these Bills should be presented to Parliament at more frequent intervals. The Committee therefore recommends that a Statute Law Revision Bill be presented to Parliament every twelve months and that such Bills be referred to the Statute Law Revision Committee for examination and report.

Committee Room

29 April 1980

APPENDIX

STATUTE LAW REVISION BILL - AMENDMENTS  
SUGGESTED BY PARLIAMENTARY COUNSEL

- 1 Clause 1, sub-clause (1), line 7, omit "1979" and insert "1980".
- 2 Clause 6, sub-clause (2), after paragraph (e) insert the following paragraph:  
"( ) Item 44 on 1 November 1979."
- 3 Clause 6, sub-clause (2), paragraph (h), omit "153 and 193" and insert "152 and 187".
- 4 Clause 6, sub-clause (2), paragraph (i), omit "84" and insert "83".
- 5 Clause 6, sub-clause (2), paragraph (j), omit "85" and insert "84".
- 6 Clause 6, sub-clause (2), paragraph (k), omit "86" and insert "85".
- 7 Clause 6, sub-clause (2), paragraph (l), omit "87" and insert "86".
- 8 Clause 6, sub-clause (2), paragraph (m), omit "106" and insert "105".
- 9 Clause 6, sub-clause (2), paragraph (n), omit "131" and insert "130".
- 10 Clause 6, sub-clause (2), paragraph (o), omit "143" and insert "142".
- 11 Clause 6, sub-clause (2), paragraph (p), omit "161" and insert "160".
- 12 Clause 6, sub-clause (2), paragraph (q), omit "177, 178 and 195" and insert "176 and 189".
- 13 First Schedule, item 5, omit "37(1),".
- 14 Fifth Schedule, page 8, item 33, omit "(ii) section 12, sub-sections (13) and (14);" and insert "(ii) section 17(13);".
- 15 Fifth Schedule, page 8, item 35, omit "proceedings" and insert "proceeding".
- 16 Fifth Schedule, page 8, item 41, omit "Social Welfare" and insert "Community Welfare Services".
- 17 Fifth Schedule, page 11, omit item 74.
- 18 Fifth Schedule, page 14, item 104, omit:  
"6310 Melbourne and Metropolitan Board of Works Act 1958".

- 19 Fifth Schedule, page 18, item 150, after "In" insert "clause 7 of".
- 20 Fifth Schedule, page 18, item 151, omit "4(2)(c)" and insert "4(2)(a)".
- 21 Fifth Schedule, page 19, item 156, after "Railway Construction" insert "and Property".
- 22 Fifth Schedule, page 19, item 160, omit "Railways Renewal" and insert "Railways Renewals".
- 23 Fifth Schedule, page 21, omit items 178, 180, 181 and 185.
- 24 Fifth Schedule, page 22, item 192, omit "debenture" and insert "debentures".





VICTORIA

MINUTES  
OF THE  
PROCEEDINGS  
OF THE  
LEG.  
COUNCIL

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SESSION

1979 - 80