

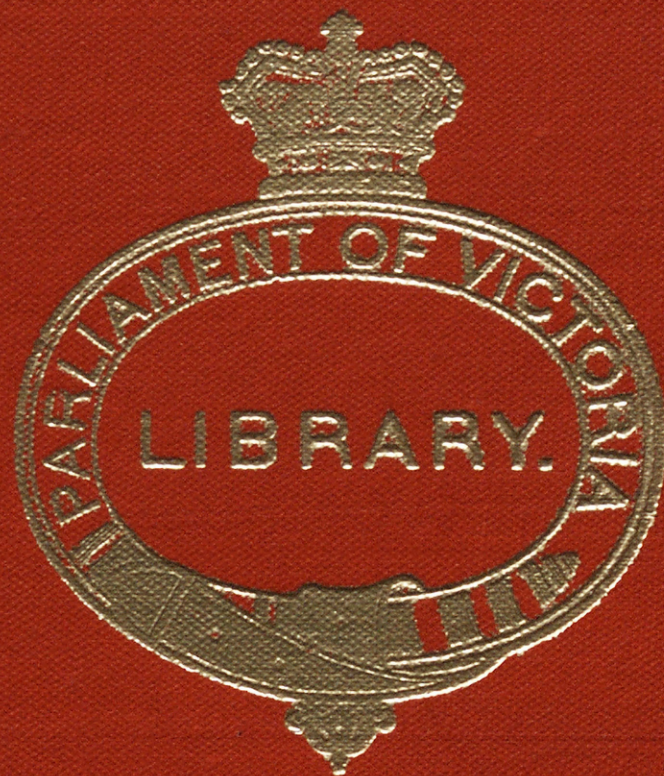
VICTORIA

MINUTES
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION

1987-88

PARLIAMENT OF
VICTORIA LIBRARY





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Leg Council
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MINUTES OF THE PROCEEDINGS

OF THE

LEGISLATIVE COUNCIL OF VICTORIA

Session 1987-88

Mr President takes the Chair at 2.00 p.m.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 **SPEECH OF HIS EXCELLENCY THE GOVERNOR**—Address-in-Reply Motion for—Resumption of debate. (*Hon. R. S. de Fegely*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. B. A. CHAMBERLAIN**—To move, That this House, recognising that the public criticism of the organisation and operation of the Department of Conservation, Forests and Lands is justified, calls upon the Premier to establish immediately an independent inquiry into the management and operation of the Department with a view to identifying the causes of low staff morale, poor accounting practices, inefficient work practices, poor bushfire prevention management and general ineffectiveness, and recommending appropriate remedies.
- 2 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 3 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and should consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 4 **THE HON. B. T. PULLEN**—To move, That this House condemns proposals to introduce a broad based consumption tax or similar taxes in Australia, as this would increase the cost of living of Victorians, impose an inequitable tax burden on low and middle income earners, and put an unbearable burden on the wages system.
- 5 **THE HON. B. W. MIER**—To move, That this House condemns proposals of the Liberal Party for the withdrawal of Commonwealth Government Assistance to State and Local Government.
- 6 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to rural municipalities.
- 7 **THE HON. B. A. CHAMBERLAIN**—To move:
 - 1 That a Joint Select Committee be appointed to inquire into and report upon 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.

- 2 That the Committee have power to present interim reports and be required to present its Final Report to the Parliament no later than 30 November 1988.
- 3 That the Committee consist of six members, comprising not more than two Members of the Legislative Council nor more than five Members of the Legislative Assembly.
- 4 That three members of the Committee constitute a quorum of the Committee.
- 5 That the Committee shall elect one of its members to be Chairman who, in the event of an equality of votes, shall also have a casting vote.
- 6 That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
- 7 That the Committee may sit and transact business during any adjournment or recess of the Houses in the period for which it holds office but the Committee shall not sit while either House of Parliament is actually sitting, except by leave of that House and at a place that is within the Parliament Buildings.
- 8 That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.
- 9 That the Committee may send for persons, papers and records and report the minutes of evidence from time to time.
- 10 That the Committee have power to authorise publication of any evidence given before it and any document presented to it.
- 11 That the Committee be a Committee to which section 51A (1A) of the *Parliamentary Committees Act 1968* applies.
- 12 That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practices of the Houses, shall have effect notwithstanding anything contained in the Standing Orders.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon B. A. Chamberlain*)—
Second reading.
- 2 FILM VICTORIA REPORT, 1985-86—To be considered.
- 3 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1985-86—To be considered.
- 4 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1985-86—To be considered.

- 5 MELBOURNE UNIVERSITY REPORT, STATUTES AND REGULATIONS, 1985—
To be considered.
- 6 NURSING COUNCIL REPORT, 1985-86—To be considered.
- 7 OPTOMETRISTS REGISTRATION BOARD REPORT, 1985-86—To be considered.
- 8 PHARMACY BOARD REPORT, 1985—To be considered.
- 9 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1985 AND REGISTRAR
OF FRIENDLY SOCIETIES' REPORT, 1985-86—To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. EVAN WALKER—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether certain items of business traditionally listed on the Notice Paper as Government or General business more properly merit classification as "Business of the Council" and, in that event—
 - (a) what items are appropriate to that category;
 - (b) what precedence those items should be afforded in the order of business; and
 - (c) what action (if any) is necessary to implement the Committee's recommendations.

ORDERS OF THE DAY

- 1 ANZAC DAY (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- 2 MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—
RESOLUTION OF THE ASSEMBLY—To be considered.

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TUESDAY, 3 MARCH GENERAL BUSINESS

ORDER OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General Business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 1 and 2

No. 1—Tuesday, 24 February 1987

- 1 The Council met pursuant to the Proclamation of His Excellency the Governor dated 21 January 1987, which Proclamation was read by the Clerk and is as follows:

PROCLAMATION OF PROROGATION OF PARLIAMENT AND FIXING
OF THE TIME FOR HOLDING THE SECOND SESSION OF THE FIFTIETH
PARLIAMENT OF VICTORIA

By the Governor of the State of Victoria

The Parliament of Victoria is adjourned until the day and hour fixed by the President of the Legislative Council and the Speaker of the Legislative Assembly respectively.

I, the Governor of the State of Victoria, prorogue the Parliament until Tuesday, 24 February 1987, and fix Tuesday, 24 February 1987 at 2.30 p.m. as the time for the commencement and holding of the next Session of Parliament, for the despatch of business, in the Parliament Houses, situated in Spring Street, Melbourne.

The Honourable the Members of the Legislative Council and the Members of the Legislative Assembly are required to give their attendance at that time and place.

Given under my hand and seal of Victoria
on 21 January 1987

J. DAVIS McCAUGHEY
By His Excellency's Command
JOHN CAIN
Premier

- 2 **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 having come with their Speaker, His Excellency was pleased to speak as follows:

MR PRESIDENT AND HONOURABLE MEMBERS OF THE LEGISLATIVE COUNCIL;

MR SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

In this its sixth year of office, I should like to present a summary of my Government's intentions and aspirations for Victoria.

It is now five years since the people of Victoria entrusted to my Government the responsibility of assuring the future of this State.

It was then, and it remains, a great responsibility, for this is a crucial time—a watershed—in Victoria's history.

It is a time of unprecedented economic change—in the world at large, and of necessity in Australia.

It is on the calibre of our response to these changes that Victoria's future depends.

The planning and co-ordination of that response is the prime task of my Government. In the context of past and contemporary events, it might well be called an *historic* task.

Five years ago, Victoria was performing poorly in a national economy which itself was far from impressive.

It is apparent that Victoria had stumbled into the modern economic era still burdened by the baggage of an earlier one—those days when it was possible to think that this nation rode on the sheep's back, and on what could be dug out of the ground.

Most believed that wool and minerals would provide the export revenue we needed and protection would secure our jobs.

Manufacturing industry continued to creak behind the tariff wall. Manufacturing had no future, just a continuing existence.

So rapid have the economic changes been, and so manifest the lessons—so threatening are the consequences of failure to come to grips with them—Australians have suddenly learnt that they must change their attitudes.

Reform can only be effective however when contemporary realities are properly understood.

My Government set out to understand those realities—its reforms therefore address them.

It seeks to redress injustice where it presently exists, and equally to take the maximum advantage of all those opportunities which a rapidly changing world presents.

It seeks, in other words, nothing less than a humane and prosperous society: an enlivened, *modern* society.

No Government could have a greater challenge: in the last five years it has set Victoria on a new course.

Victoria now leads the economic recovery which has been occurring in Australia.

The statistics which underline this fact have a significant social meaning. In the first place they mean that far more Victorians have jobs than might have been expected a few years ago.

Victorians are now enjoying the benefits of increased investment, industrial expansion and diversification, and overall economic growth.

While my Government takes pride in its achievements it recognizes that further tasks lie ahead and with them opportunities which must be seized.

A fundamental challenge will be to encourage exports and create growth based on Victoria's competitive strengths. These include the greater use in industry of our intellectual capacities and the realization of the potentialities of new technology.

My Government recognizes that neither Victoria nor Australia can compete with the major economies across the board: but by identifying our strengths and concentrating on *their* development the industries of this State can significantly increase the volume of our value-added exports and therefore our general wealth.

This lies at the heart of the Economic Strategy. At its periphery lie a variety of essential measures to ensure its success.

For my Government the Economic Strategy demands a much stronger emphasis on the development and dissemination of new technologies, and on improving the knowledge and skills of the Victorian workforce.

The specific challenges are numerous:

- The first, undoubtedly, is the development of an adaptable and durable manufacturing industry, capable of taking advantage of export opportunities created by deregulation of the financial system. Opportunities for a resurgent manufacturing industry have not been better for thirty-five years.

To this end the Government has pursued a range of measures to facilitate private sector development. The task goes well beyond maintaining cost competitiveness. Success will depend on expanded and innovative use of new technology, design, quality control, marketing, and reliable and effective distributive networks. My Government will take further strides to reduce the burden of unnecessary government regulation.

- There remains the necessity to maintain good industrial relations particularly at a time when there are pressures for wage increases and greater flexibility in the arbitration process. Restraint in both prices and incomes is required to hold back inflation and improve further our international competitiveness.
- My Government takes pride in Victoria's now flourishing tourist industry. The natural environment of this State was recognized early as one of its advantages. The adjustment

to the value of the dollar and an extensive promotional campaign, within Australia and overseas, have seen tourism become one of Victoria's most significant industries. It remains to build on this promising base.

- Victoria's rural industries continue to be our largest export earners. The Government is aware of the special needs of the rural community at a time when world trade conditions and the policies of some of our competitors are creating serious difficulties—particularly among cereal and dairy producers.

While recognizing that the solution to the problems of rural Victoria is largely out of its hands, my Government believes that much can be done by a continuing search for new products and markets and by sparing no effort to achieve precise and reliable delivery.

- The Government will continue to seek more equitable arrangements for grants to the States. It recognizes that present arrangements, when combined with a restrained federal budget, will increase budgetary problems for Victoria.

In addition to these demands there remains the task of ensuring that the difficulties created by economic change are moderated for ordinary men and women.

My Government is aware that current restraints imposed on the community by our changed position in the world economy have frequently been borne by those least able to pay. It is aware that for many prices have increased more rapidly than disposable income. My Government offers the assurance that its efforts are governed by an appreciation of public needs, and by a determination consistently to seek ways to advance the cause of social justice.

My Government believes that the surest guarantee of social well being is economic health.

To this end its Economic Strategy seeks the means of developing a modern and dynamic society capable of delivering prosperity to Victorians in the 1990s and beyond.

Above all, my Government is intent on growth in employment.

It believes there is nothing so unfair, and nothing so socially destructive as widespread unemployment.

The imperative to create employment has created other imperatives.

Some which I have mentioned demand economic and administrative reforms and initiatives.

These reforms are essential to our economic future and, my Government believes, equally essential to our notions of social justice.

My Government has taken steps to improve the efficiency of government services, both in their dealings with the general public and with business.

It holds strongly to the view that the consequences of inefficiency are personal and social as well as economic.

It will continue its campaign to eliminate bureaucratic obstruction, and delays in processing and delivery.

The Courts Modernization Program, which was commenced three years ago, serves as an example of my Government's efforts. Among other results achieved by this program, the average delay in Magistrates' Courts has been reduced from ten months to eleven weeks. Numerous other reforms will soon result in vastly improved efficiency and accessibility to court services for the profession, the police and the public.

My Government's pursuit of social justice in Victoria is a continuing commitment. In a good society enterprise abounds and is rewarded. Compassion—manifest compassion for the underprivileged—is also a hallmark of any good society.

Without it—despite current fashions—far from creating a modern society we create a backward one.

The decision to adopt a Social Justice Strategy arises from the Government's determination to harness the resources of the State in a systematic way, according to a planned schedule, and with all government agencies working towards clearly specified objectives.

My Government's first term of office saw work proceed on two fronts—a comprehensive review of social policies and community services was undertaken.

This has created an invaluable repository of information and advice from which concrete programs can be implemented.

Major legislation has been enacted—including WorkCare, Occupational Health and Safety Provisions, the expansion of Legal Aid, the reform of Adoption Legislation and the expansion of Public Rental Housing.

In the Government's second term of office the initiative has been maintained with the Youth Guarantee, legislation to extend the rights of the mentally ill and the intellectually disabled, and the introduction of greater financial protection for older people entering retirement villages.

At present the most comprehensive review ever undertaken of government activity in Victoria is underway.

All government agencies are being required to pursue the goals of Social Justice.

These necessarily include fair, efficient, accessible services, the protection of citizens' rights, and the extension of the individual's democratic right to influence decisions which affect him or her.

Four major priorities have been established in the pursuit of social justice. These are:

- Children in poverty.
- Long term unemployment.
- Dignity and security for the aged.
- Human rights.

My Government has established several other priorities.

The introduction of public transport to areas previously unserved is one such.

During this financial year, significant improvements involving some 500 000 bus kilometres have been introduced to the Greensborough, Frankston and Werribee neighbourhoods. And there will be further major extensions in the immediate future.

Housing is another priority. In 1986–87 the Government will achieve 3100 housing handovers well on the way to its target figure of 12 000 in four years.

Home ownership assistance has been increased by 13.8 per cent in 1986–87, to 98.2 million dollars.

My Government believes that matters of social justice are properly the concern of community groups, commerce and industry, unions and other institutions. It calls on them to join the Government in its efforts.

My Government does not believe that spending alone is the solution to welfare. It believes instead that welfare programs must be undertaken with the same attention to rational analysis and detail, the same eye to imaginative solutions, the same long term view, as every other area of government policy.

In housing, health and welfare—as in education, transport and other public sector enterprises—the Government recognizes that there are myriad legitimate claims but no simple solutions.

My Government's aims *are* long term. In a number of cases they involve thoroughgoing overhauls of outdated bureaucratic machinery, the wholesale restructuring of operations in essential services, a complete re-definition of governing ideas and practices.

My Government will soon announce its Conservation Strategy.

The Conservation Strategy represents the first effort in Victoria's history to develop a philosophy and a program to protect and enhance our natural and cultural heritage. It recognizes the interdependence of development and conservation.

With this strategy the Government seeks to enhance the quality of life in Victoria by providing a better environment in which to live.

Equally it seeks to promote sustainable, environmentally sensitive economic development and to provide opportunities for new, safe and stimulating jobs. It builds on the Government's excellent record in the past four years in increasing national and State parks by 36 per cent from 4.3 to 5.9 per cent of Victoria and by opening parks to people.

The Conservation Strategy recognizes eight major priorities:

- restoring the land
- ensuring the survival of flora and fauna
- protecting forests

- reviving rivers, coasts and wetlands
- wise use of resources
- enhancement of our cities
- control of pollution and hazardous chemicals
- environmental education and community involvement

My Government has embarked on a course which will protect and improve the environment and the lives of all Victorians, while raising the level of public awareness, understanding and appreciation of the world we live in and the heritage we share.

The Government is confident that by the end of the century Victoria will have reversed the trend towards the extinction of many native flora and fauna.

More visible will be rejuvenated waterways and the rehabilitation of land affected by salinity and soil erosion.

The Conservation Strategy is a major turning point in the treatment of our natural and cultural heritage which will benefit generations well beyond the present one.

The Government's initiatives relating to the Economic Strategy, the Social Justice Strategy and the Conservation Strategy will be matched by a considerable Legislative Program which it is my pleasure to outline.

- A Bill to provide protection to victims of domestic violence and a civil law remedy separate from any criminal law sanctions.
- The reintroduction of a Bill which though not attempting to equate de facto relationships with marriage, will ameliorate the present harsh operation of the common law in relation to persons living in de facto relationships.
- A Bill to change the law following the Nieuwenhuysen Report. After considering the recommendations of the report and the wide response to it, my Government now intends to introduce new liquor legislation in this Parliamentary session.

It has accepted the responsibility to reduce the abuse and misuse of alcohol in the community. The forthcoming legislation will strongly support the Government's recent initiatives on this matter.

The legislation will provide simpler licensing procedures with a substantial reduction in the number of licence and permit categories. Administrative changes to the licensing process will eliminate some requirements which are no longer appropriate to the needs of the industry or the community.

The new legislation will also remove overlapping regulations between the Liquor Control Commission and other Government agencies.

- A Bill to provide for a more modern and progressive system of local government, including greater local powers, responsibility and accountability. It will bring this tier of Government closer to the local community and ensure it is more responsive to their needs.
- A Bill to provide for a new system of classification of all land held by Government in Victoria and mechanisms for the transfer of land between categories.
- The reintroduction of a Bill providing for the first overhaul of Victoria's planning laws since statutory planning was introduced in 1944. The Bill establishes a single planning scheme and two discretionary planning approval processes—permits, and amendments to schemes. The Bill seeks to emphasize environmental, social and economic considerations in planning matters.
- The reintroduction of a Bill to provide access to simple and inexpensive means of resolving planning disputes by creating a Planning Division of the Administrative Appeals Tribunal.
- The reintroduction of a Bill to abolish the grand jury procedure, thereby preventing private individuals from by-passing the Director of Public Prosecutions in instituting criminal proceedings.
- The reintroduction of a Bill to establish an office to conciliate and review complaints about health organizations, institutions and professionals. This office will not only assist consumers and providers to resolve complaints about health services but will also monitor complaints, analyse data and recommend improvements to health service provision.
- The reintroduction of a Bill to provide for the declaration of six new national parks and changes to the boundaries of five others. This Bill reflects my Government's policy of expanding the system of parks and conservation reserves to ensure that samples of all

Victoria's ecosystems of national significance are permanently reserved for the benefit of all future generations.

- The reintroduction of a Bill to implement the major recommendations of the Miller Report on shop trading anomalies and penalties and to introduce a new system of shop registration and classification.

The Bill will ensure that:

- consumers have adequate access to the goods they require;
- a diverse and competitive retail system is developed;
- special provisions are available for holiday and tourists areas and for special events; and
- retailers and employees have a fair and equitable regulatory framework for the industry.

Mr Speaker and Members of the Legislative Assembly:

- A Supply Bill to make provision for ongoing Government expenditure for the first four months of the financial year 1987–88 will be presented to you during the present sittings of Parliament.

Mr President and Honourable Members of the Legislative Council:

Mr Speaker and Members of the Legislative Assembly:

As my Government approaches the commencement of its sixth year in office it remains resolved to press on with the comprehensive program of reform I have outlined.

My Government takes satisfaction from its achievements. It recognizes that many obstacles remain, and that its ambitions will at times be frustrated by circumstances beyond its control.

But my Government believes Victoria is now well and truly embarked on a new course that will take it well prepared into the 1990s.

My Government does not subscribe to the view that by any single stroke our economic and social trials will go away.

More than that, my Government believes that simplistic solutions would betray the hopes and aspirations of past generations of Australians, and the security of future ones.

It rejects also the demands of narrow, sectional interests, where those interests are incompatible with the overall interest of the community.

In pursuit of its goals the Government sees no alternative to the comprehensive strategies it has evolved and the hard work and attention to detail they entail.

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

J. DAVIS McCAUGHEY
Governor of Victoria

24 February 1987

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

The Legislative Assembly withdrew.

[Sitting suspended from 3.05 p.m. until 5.03 p.m.]

- 3 The President took the Chair and read the Prayer.
- 4 **THE LATE NEIL FRANK STACEY**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 29 January 1987, of Neil Frank Stacey, a former Member of this House, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member for the Chelsea Province from 1976 to 1982.
And other Honourable Members and the President having addressed the House—
The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.
- 5 **ADJOURNMENT**—The Honourable Evan Walker moved, That as a further mark of respect to the memory of the late Neil Frank Stacey, the House do now adjourn until this day at 8.00 p.m.

Question—put and resolved in the affirmative.

And then the Council, at 5.48 p.m., adjourned until this day at 8.00 p.m.

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- 1 The President took the Chair.
 - 2 **RESIGNATION OF MEMBER**—The President announced that he had received the following communication:

Thursday 12th February, 1987

Dear Mr President,

It is my duty to inform you that, at 3.30 p.m. this day, the 12th February, 1987, I accepted the resignation of the Honourable F. S. Grimwade, A.O., M.L.C., as a Member for Central Highlands Province in the Legislative Council.

I enclose for your attention and necessary action a copy of Mr Grimwade's letter of resignation.

Yours sincerely,
DAVIS McCAUGHEY
Governor

* * * *

12th February, 1987

Your Excellency,

I hereby tender my resignation as Member for Central Highlands Province in the Legislative Council.

I do so with regret, after almost 20 years of Parliamentary service, because my future health status is uncertain and I have been advised by my doctor that I should retire from Parliamentary duties.

As a Member and as President of the Council I have enjoyed a close and happy relationship with yourself and your predecessors and I would like to thank you for continuing this tradition of friendship and co-operation.

I have been honoured and privileged to have had the opportunity of serving the people of Victoria and its Parliament and it is with sadness that I now retire.

Yours sincerely,
FRED. S. GRIMWADE, A.O., M.L.C.
Member for Central Highlands

- 3 **PRIVILEGE BILL—ANZAC DAY (AMENDMENT) BILL**—On the motion of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Anzac Day Act 1958* and the *Theatres 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.
- 4 **LEAVE OF ABSENCE**—The Honourable Evan Walker moved, by leave, That the Honourable C. F. Van Buren be granted leave of absence for three months on account of ill-health.
Question—put and resolved in the affirmative.
- 5 **HOUSE COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward be members of the House Committee.
Question—put and resolved in the affirmative.
- 6 **LIBRARY COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro be members of the Joint Committee to manage the Library.
Question—put and resolved in the affirmative.

- 7 **PRINTING COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster be members of the Printing Committee, the Committee to have power—

(a) to send for persons, papers and records; and

(b) to confer with the Printing Committee of the Legislative Assembly and to report jointly thereon to the House—

three to be the quorum.

Question—put and resolved in the affirmative.

- 8 **STANDING ORDERS COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey 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.

- 9 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, by leave, That unless otherwise ordered by the House, in each week of the present Session—

(a) the days and hours of meeting of the Council be Tuesday at 3.00 p.m., Wednesday at 2.00 p.m. and Thursday at 11.00 a.m.;

(b) on Tuesday and Thursday the transaction of Government business shall take precedence of General business, and on Wednesday General business shall take precedence of Government business; and

(c) no new business shall be taken after 10.00 p.m.

Debate ensued.

Question—put and resolved in the affirmative.

- 10 **PERIODIC DISCHARGE OF ORDERS OF THE DAY, GENERAL BUSINESS**—The Honourable Evan Walker moved, by leave, That during the present Session an Order of the Day, General Business, for the consideration of a Ministerial Statement or a paper tabled either—

(a) by command of His Excellency the Governor;

(b) pursuant to an Order of the House; or

(c) pursuant to Statute—

shall be discharged from the Notice Paper without further proceeding after having been listed for five consecutive sitting days, unless a “take note” motion has intervened and is pending resolution.

Question—put and resolved in the affirmative.

- 11 **PROCLAMATIONS FIXING OPERATIVE DATES**—The Honourable Evan Walker moved, by leave, That this House authorizes and requires the Clerk, during the present Session, to lay on the Table copies of Proclamations of His Excellency the Governor in Council fixing dates for the coming into operation of Acts, as published in the *Government Gazette* from time to time.

Question—put and resolved in the affirmative.

- 12 **TEMPORARY RELIEF IN THE CHAIR**—The Honourable Evan Walker moved, by leave, That in the case of any absence of the Deputy President during the present Session, 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.

- 13 **PRIVILEGE**—The Honourable Evan Walker moved, by leave, That until the end of the Session, Standing Orders Nos. 85, 94 and 126 be suspended insofar as they relate to the raising of matters of privilege, and that the procedure to be followed in raising matters of privilege shall be as follows:

Upon any matter of privilege arising—

- (a) a Member shall, unless circumstances prevent, give written notice of the alleged breach of privilege or contempt to the President as soon as reasonably practicable after the matter has come to attention;
- (b) if the matter arises from a statement published in a newspaper, book or other publication, the Member shall provide the President with a copy of that newspaper, book or publication;
- (c) the President thereupon will determine as soon as practicable whether the matter merits precedence over other business;
- (d) if in the opinion of the President the matter merits precedence, he will inform the House of his decision, and the Member who raised the matter may forthwith move a motion without notice in relation to the matter;
- (e) if in the opinion of the President the matter does not merit precedence, he will inform the Member in writing accordingly, and may also inform the House of his decision; and
- (f) a decision by the President not to allow precedence shall not prevent a Member from proceeding with the matter by motion after notice.

Question—put and resolved in the affirmative.

- 14 **BROADCASTING OF PROCEEDINGS**—The Honourable Evan Walker moved, by leave, That this House authorizes, during the present Session, the broadcasting and re-broadcasting on radio and television stations of recorded excerpts of proceedings in the Legislative Council, subject to the following conditions:

- (a) Audio excerpts of proceedings may be taken for the above purposes only.
- (b) Television video or film of a particular proceeding may be taken provided the President, after consultation with the Party Leaders, has so approved.
- (c) Audio excerpts shall be recorded from the signal transmitted by the House monitoring system only by representatives of accredited media organizations. No alteration to the sound relay equipment is to be undertaken unless approved by the President.
- (d) Excerpts are not to be used for the purposes of satire or ridicule.
- (e) Excerpts shall not be used for the purpose of political party advertising or in election campaigns.
- (f) Fairness in reporting with reasonable balance between both sides of the House is to be achieved by avoiding undue concentration on any one Member.
- (g) Excerpts must be placed in context. Commentators should identify Members at least by name.
- (h) Media personnel are required to obey any instruction given either generally or in a particular case by the President or through him by the Clerk of the Legislative Council, the Usher of the Black Rod or the Housekeeper.
- (i) Any breach of these conditions may result in the immediate suspension of the privileges by the President.

Question—put and resolved in the affirmative.

- 15 **APPRECIATION OF SERVICES—FREDERICK SHEPPARD GRIMWADE A.O.**—The Honourable Evan Walker moved, That on his retirement as a Member of the Council, this House place on record its appreciation of the distinguished services rendered to the Parliament and the people of Victoria by Frederick Sheppard Grimwade, A.O.,

as a Member of the Legislative Council for the Bendigo Province from 1967 to 1979, and for the Central Highlands Province from 1979 to 1987 and, in particular, as President of the Legislative Council from 1979 to 1985, during which term his wisdom, impartiality and unflinching dignity characterised his occupation of that high office.

Debate ensued.

The Honourable 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.

- 16 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, That so much of Sessional Orders be suspended as would prevent the Speech of His Excellency being reported to the House and a motion for an Address-in-Reply to His Excellency's Opening Speech being taken after 10.00 p.m. during the sitting of the Council this day.

Question—put and resolved in the affirmative.

- 17 **APPRECIATION OF SERVICES—FREDERICK SHEPPARD GRIMWADE A.O.**—The Order of the Day was read for the resumption of the debate on the motion to record appreciation of the distinguished services rendered by Frederick Sheppard Grimwade as a Member of the Legislative Council (for motion, see item 15 *ante*).

And other Honourable Members and the President having addressed the House—

The question was put, and unanimously resolved in the affirmative.

- 18 **POLICE (POWERS OF INVESTIGATION) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to make further provision for police powers 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.
- 19 **CRIMES (RESTITUTION ORDERS) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to amend section 94 of the *Crimes 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 Tuesday next.
- 20 **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 Honourable Michael John Arnold;

The Honourable Joan Coxsedg;

The Honourable David Ernest Henshaw;

The Honourable Robert Lawson;

The Honourable Richard John Long;

The Honourable Malcolm John Sandon; and

The Honourable Kenneth Irving Mackenzie Wright—

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-fourth day of February, One thousand nine hundred and eighty-seven.

R. A. MACKENZIE
President of the Legislative Council

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

Education Act 1958—Minister's certificate of 28 January 1987 regarding the resumption of land at Hoppers Crossing.

Film Victoria—Report and statement of accounts for the year 1985–86.

Geelong and District Water Board—Accounts and statements for the year 1985–86.

Geelong Performing Arts Centre Trust—Report and accounts for the year 1985–86.

Government Employee Housing Authority—Report and statement of accounts for the year 1985–86.

Land Conservation Council—Final recommendations to the Minister regarding the East Gippsland Area.

Melbourne University—Report of the Council, together with statutes and regulations allowed by His Excellency the Governor for the year 1985 (nine papers).

Nursing Council—Report and financial statement for the year 1985–86 (two papers).

Optometrists Registration Board—Report and financial statement for the year 1985–86.

Pharmacy Board—Report and statement of accounts for the year 1985.

Police Service Board—Determinations Nos. 466 and 467.

Statutory Rules under the following Acts of Parliament:

Abattoir and Meat Inspection Act 1973—No. 302/1986.

Accident Compensation Act 1985—Nos. 399 and 400/1986.

Alpine Resorts Act 1983—No. 374/1986.

Audit Act 1958—No. 325/1986.

Boilers and Pressure Vessels Act 1970—Nos. 377, 379 and 380/1986.

Building Control Act 1981—No. 330/1986, together with copies of the documents listed in Schedule 1 of the Statutory Rule which, by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table.

Chattel Securities Act 1981—No. 394/1986.

Chiropodists Act 1968—No. 317/1986.

Chiropractors and Osteopaths Act 1978—No. 308/1986.

Companies (Administration) Act 1981—No. 333/1986.

Construction Industry Long Service Leave Act 1983—No. 354/1986, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

Long Service Leave (Building and Construction Industry) Ordinance 1981 of the Australian Capital Territory.

Long Service Leave (Building Industry) Act 1975 of South Australia.

Building and Construction Industry Long Service Payments Act 1986 of New South Wales.

Construction Industry Portable Paid Long Service Leave Act 1985 of Western Australia.

The National Building Construction Industry Labourers (On Site) Award 1986.

Statutory Rules—*continued*

- Country Fire Authority Act 1958—No. 304/1986.
County Court Act 1958—Nos. 356, 364 and 365/1986.
Dental Technicians Act 1972—Nos. 310, 340 and 369/1986.
Dentists Act 1972—No. 309/1986.
Drugs, Poisons and Controlled Substances Act 1981—No. 316/1986.
Education Act 1958—No. 353/1986.
Emergency Services Superannuation Act 1986—No. 7/1987.
Evidence Act 1958—No. 363/1986.
Explosives Act 1962—No. 385/1986.
Firearms Act 1958—No. 336/1986.
Fisheries Act 1968—No. 368/1986; and No. 11/1987.
Food Act 1984—No. 338/1986.
Grain Elevators Act 1958—No. 14/1987.
Groundwater Act 1969—No. 375/1986.
Health Act 1958—Nos. 311, 315, 341 to 350 and 372/1986.
Hospitals and Charities Act 1958—Nos. 370 and 373/1986.
Inflammable Liquids Act 1966—No. 386/1986.
Land Act 1958—No. 367/1986.
Land Tax Act 1958—No. 307/1986.
Legal Aid Commission Act 1978—No. 16/1987.
Legal Profession Practice Act 1958—No. 352/1986.
Lifts and Cranes Act 1967—Nos. 381 and 382/1986.
Liquefied Gases Act 1968—No. 387/1986.
Listening Devices Act 1969—No. 9/1987.
Lotteries Gaming and Betting Act 1966—No. 324/1986.
Magistrates' Courts Act 1971—No. 398/1986.
Marine Act 1958—No. 4/1987.
Medical Practitioners Act 1970—Nos. 312 and 337/1986.
Melbourne and Metropolitan Board of Works Act 1958—No. 355/1986.
Mental Health Act 1959—No. 366/1986.
Motor Car Act 1958—No. 395/1986; and No. 3/1987.
National Parks Act 1975—Nos. 322, 323 and 334/1986.
Nurses Act 1958—Nos. 318, 320, 321 and 371/1986.
Optometrists Registration Act 1958—No. 319/1986.
Parliamentary Salaries and Superannuation Act 1968—No. 12/1987.
Pay-roll Tax Act 1971—No. 397/1986.
Pharmacists Act 1974—No. 313/1986.
Physiotherapists Act 1978—Nos. 314 and 339/1986.
Pipelines Act 1967—No. 376/1986.
Police Regulation Act 1958—No. 305/1986.
Port of Portland Authority Act 1958—No. 396/1986.
Prevention of Cruelty to Animals Act 1986—No. 360/1986.
Private Agents Act 1966—No. 303/1986.
Public Service Act 1974—Nos. 326, 335, 388 and 389/1986; and PSD Nos. 45 and 47 to 54/1986; and PSD Nos. 1, 3, 4, 13 and 17/1987.
Rain-making Control Act 1967—No. 6/1987.
Registration of Births and Deaths and Marriages Act 1959—No. 2/1987.
Rural Finance Act 1958—Nos. 332 and 351/1986.
Scaffolding Act 1971—Nos. 378, 383 and 384/1986.
Superannuation Benefits Act 1977—No. 15/1987.
Supreme Court Act 1958—Nos. 327 to 329/1986.
Supreme Court Act 1986—Nos. 361 and 362/1986.
Transport Act 1983—Nos. 390 to 393/1986.
Transport Accident Act 1986—Nos. 357 and 358/1986; and No. 8/1987.
Travel Agents Act 1986—No. 1/1987.

Statutory Rules—*continued*

Vegetation and Vine Diseases Act 1958—No. 331/1986.

Water Act 1958—No. 5/1987.

Wildlife Act 1975—No. 10/1987.

Taxation—Analysis of Operations of Land Tax for the Assessment Year 1985 and Probate Duty and Gift Duty for the year 1985–86.

Town and Country Planning Act 1961—Lower Yarra River (Punt Road to Dights Falls) and Lower Maribyrnong River Approved Concept Plans (two papers).

Town and Country Planning Act 1961—

Bacchus Marsh Planning Scheme—Amendment No. 37.

Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 57.

Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 89.

Bass—Shire of Bass Planning Scheme—Amendment No. 19.

Cobram—Shire of Cobram Planning Scheme 1979—Amendment No. 20, 1986.

Colac—City of Colac Planning Scheme—Amendment No. 26.

Cranbourne Planning Scheme 1960—Amendment No. 57, 1985.

Geelong Regional Planning Scheme—Amendments No. 138, Part 1A, 1985; and Nos. 156, 164, 168 and 170, 1986.

Hastings—Shire of Hastings Planning Scheme—Amendment No. 18.

Horsham—City of Horsham Planning Scheme 1982—Amendment No. 112.

Kilmore—Shire of Kilmore Planning Scheme—Amendment No. 60.

Knox—City of Knox Planning Scheme 1965—Amendments No. 269, 1986; No. 275, 1986; No. 277, 1985; and No. 285, 1985.

Korumburra—Shire of Korumburra Planning Scheme—Amendments No. 34, 1986, Part 1; and No. 35A.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 195, 202, 204, 206, 207, 209, 210 and 222.

Lorne Planning Scheme—Amendment No. 13.

Maffra—Shire of Maffra (Maffra Township) Planning Scheme—Amendments Nos. 26, 27 and 29, 1985.

Melbourne Metropolitan Planning Scheme—Amendments No. 150, Part 14 (with seven maps); No. 150, Part 15 (with twelve maps); No. 150, Part 18 (with 21 maps); No. 150, Part 19 (with six maps); No. 150, Part 20 (with nine maps); No. 150, Part 21 (with three maps); No. 282, Part 3 (with eight maps); No. 307 (with four maps); No. 316, Part 4 (with nine maps); No. 320, Part 2; No. 322, Part 3 (with three maps); No. 323, Part 2; No. 370; No. 381, Part 2; No. 383, Part 1; No. 406, Part 1; No. 409; No. 423 (with two maps); No. 424; No. 441; No. 443; and No. 445.

Moe—City of Moe Planning Scheme 1966—Amendment No. 95, 1986.

Morwell—Shire of Morwell Planning Scheme 1977—Amendments No. 31 and No. 39, 1985.

Pakenham—Shire of Pakenham Planning Scheme, Part 1—Amendment No. 49.

Portland Planning Scheme—Amendment No. 61, 1986.

Rochester—Shire of Rochester (Rochester Township) Planning Scheme—Amendment No. 15.

Rosedale—Shire of Rosedale Planning Scheme—Amendment No. 50, 1985.

Shepparton—City of Shepparton Planning Scheme 1983—Amendments Nos. 99 and 105, 1986.

Sherbrooke—

Shire of Sherbrooke Planning Scheme 1979 (Rural Areas)—Amendment No. 23, 1984.

Town and Country Planning Act 1961—*continued*

Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendments No. 35; and No. 37, 1985.

Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 69.
Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 83.

Trade Unions—

Report of the Government Statist for the year 1985.

Report of the Registrar of Friendly Societies for the year 1985–86.

* * * *

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council this day:

Annual Reporting (Amendment) Act 1986—23 December 1986 (*Gazette* No. 109, 31 December 1986).

Education (Amendment) Act 1986—Whole Act, except sections 7 and 8—31 December 1986; sections 7 and 8—1 July 1987 (*Gazette* No. 108, 23 December 1986).

Emergency Management Act 1986—Sections 8, 9, 18 to 21, 25 to 35, 37 and 38—3 December 1986 (*Gazette* No. 101, 3 December 1986).

Estate Agents (Amendment) Act 1986—8 October 1986 (*Gazette* No. 83, 8 October 1986).

Firearms (Amendment) Act 1985—Sections 5 to 8 and 13—1 January 1987 (*Gazette* No. 104, 17 December 1986).

Firearms (General Amendment) Act 1984—Sections 10 and 11 (1) and (4)—1 January 1987 (*Gazette* No. 104, 17 December 1986).

Local Government Acts (Miscellaneous Amendments) Act 1986—Sections 1, 2, 18 (1) (b), 18 (2) and 19 to 35—10 December 1986; Section 39—1 January 1987; Section 18 (1) (a)—1 March 1987 (*Gazette* No. 102, 10 December 1986).

Local Government (General Amendment) Act 1986—Sections 1 to 6—22 January 1987 (*Gazette* No. G1, 7 January 1987).

Lotteries Gaming and Betting (Amendment) Act 1986—Section 9—8 December 1986 (*Gazette* No. 101, 3 December 1986).

Petroleum (Submerged Lands) (Amendment) Act 1986—1 December 1986 (*Gazette* No. 99, 26 November 1986).

Port Authorities (Amendment) Act 1986—Sections 1 to 30 and 32 to 81—23 December 1986 (*Gazette* No. 108, 23 December 1986).

Post-Secondary Education Remuneration Tribunal (Repeal) Act 1986—10 December 1986 (*Gazette* No. 101, 3 December 1986).

Prevention of Cruelty to Animals Act 1986—Sections 1, 4 to 6, 8 to 25, 26 (except sub-section 2 (h)), 27 to 41 and 42 (except sub-section 1 (n))—4 March 1987 (*Gazette* No. G1, 7 January 1987).

Racing (Miscellaneous Amendments) Act 1986—Sections 1 to 5, 9 to 12 and 14—31 January 1987 (*Gazette* No. G3, 21 January 1987).

Road Safety Act 1986—Sections 1 to 4, 101 and Item No.3 of Schedule 3—1 January 1987 (*Gazette* No. 108, 23 December 1986).

Rural Finance (Amendment) Act 1986—26 November 1986 (*Gazette* No. 99, 26 November 1986).

Taxation Acts (Amendment) Act 1986—Sections 11 and 12—1 February 1987 (*Gazette* No. G4, 28 January 1987).

Transport Accident Act 1986—Sections 121 and 180 (2)—1 February 1987 (*Gazette* No. G4, 28 January 1987).

Transport (Amendment) Act 1986—Sections 1, 2, 4, 6 to 30 (1), 31 to 41 (a) and 42 to 44—17 December 1986 (*Gazette* No. 104, 17 December 1986); Sections 3 and 41 (b)—12 January 1987 (*Gazette* No. 108, 23 December 1986).

Travel Agents Act 1986—Whole Act, except Sections 37 and 38—1 February 1987 (*Gazette* No. G3, 21 January 1987).

Water Acts (Further Amendment) Act 1986—Sections 31 and 32—24 December 1986 (*Gazette* No. 108, 23 December 1986).

Water (Miscellaneous Amendments) Act 1986—Sections 6, 8, 14 to 18 and 21 to 43—24 December 1986 (*Gazette* No. 108, 23 December 1986).

* * * *

The Honourable B. A. Chamberlain 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.

- 22 **SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The President reported the Speech of His Excellency the Governor on the Opening of Parliament.

The Honourable M. A. Lyster 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 Honourable L. A. McArthur.

The Honourable R. S. de Fegely 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.

- 23 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to a Resolution concerning the appointment of a Joint Select Committee upon the Mortuary Industry and Cemeteries Administration, and desiring the concurrence of the Council therein.

Ordered—That the Resolution be taken into consideration on the next day of meeting.

- 24 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

WEDNESDAY, 25 FEBRUARY 1987

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.09 a.m., adjourned until this day at 2.00 p.m.

R. K. EVANS
Clerk of the Legislative Council

No. 2—Wednesday, 25 February 1987

- 1 The President took the Chair and read the Prayer.

- 2 **SALE OF GOODS (VIENNA CONVENTION) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to give effect within Victoria to the United Nations Convention on Contracts for the International Sale of Goods, and to make certain amendments to the *Instruments Act 1958* and the *Goods 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.

- 3 **CRIMES (GRAND JURIES) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to abolish grand juries, to amend the *Crimes Act 1958* and the *Juries Act 1967* 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 PURSUANT TO STATUTE**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

State Board of Education—Report for the year 1985–86.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—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 **DEPARTMENT OF CONSERVATION, FORESTS AND LANDS**—The Honourable B. A. Chamberlain moved, That this House, recognising that the public criticism of the organisation and operation of the Department of Conservation, Forests and Lands is justified, calls upon the Premier to establish immediately an independent inquiry into the management and operation of the Department with a view to identifying the causes of low staff morale, poor accounting practices, inefficient work practices, poor bushfire prevention management and general ineffectiveness, and recommending appropriate remedies.

Debate ensued.

The Honourable J. E. Kirner 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Notices of Motion, General Business, be postponed until later this day.

- 8 **POLICE (POWERS OF INVESTIGATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable B. A. Chamberlain moved, That this Bill be now read a second time.

The Honourable Evan Walker (for the Honourable J. H. Kennan) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, the Notice of Motion, Government Business, and Order of the Day, Government Business, No. 1, be postponed until the next day of meeting.
- 10 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The Order of the Day was read for the consideration of the following Resolution of the Assembly:
1. That a Joint Select Committee be appointed to inquire into and report upon all aspects of the mortuary industry and related industries in Victoria, including both private and Government operations, together with any aspect of cemeteries administration, funding or provision of land encompassed by the *Cemeteries Act 1958*, the *Trustee Act 1958*, or any other provisions relating thereto.
 2. That the Committee shall give priority to such investigations referred to it by resolution of the Legislative Council and the Legislative Assembly.
 3. That the Committee be required to present its Final Report to the Parliament no later than 30 November 1988.
 4. That the Committee consist of six members, comprising not more than two Members of the Legislative Council nor more than five Members of the Legislative Assembly.
 5. That three members of the Committee constitute a quorum of the Committee.
 6. That the Committee shall elect one of its members to be Chairman who, in the event of an equality of votes, shall also have a casting vote.
 7. That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
 8. That the Committee may sit and transact business during any adjournment or recess of the Houses in the period for which it holds office but the Committee shall not sit while either House of Parliament is actually sitting, except by leave of that House and at a place that is within the Parliament Buildings.
 9. That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.
 10. That the Committee may send for persons papers and records and report the minutes of evidence from time to time.
 11. That the Committee have power to authorize publication of any evidence given before it and any document presented to it.
 12. That evidence taken before any previous Mortuary Industry and Cemeteries Administration Committee shall be considered by the Committee as if that evidence had been given before and for the information and guidance of the Committee.
 13. That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.
 14. That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practices of the Houses, shall have effect notwithstanding anything contained in the Standing Orders.

The Honourable Evan Walker moved, That the Council concur with the Assembly and agree to the said Resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 11 **MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable J. G. Miles be a member of the Mortuary Industry and Cemeteries Administration Committee.

Question—put and resolved in the affirmative.

- 12 **DEPARTMENT OF CONSERVATION, FORESTS AND LANDS**—The Order of the Day having been read for the resumption of the debate on the motion calling for an inquiry into the operation of the Department of Conservation, Forests and Lands (for motion see item 6 *ante*)—

Debate resumed.

Question—put.

The Council divided.

AYES, 20

The Hon. M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 19

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 G. A. Sgro
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 13 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.11 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 SPEECH OF HIS EXCELLENCY THE GOVERNOR—Motion for Address-in-Reply—*Resumption of debate. (Hon. R. S. de Fegely).*

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 THE HON. EVAN WALKER—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether certain items of business traditionally listed on the Notice Paper as Government or General business more properly merit classification as “Business of the Council” and, in that event—
 - (a) what items are appropriate to that category;
 - (b) what precedence those items should be afforded in the order of business; and
 - (c) what action (if any) is necessary to implement the Committee’s recommendations.

ORDERS OF THE DAY

- 1 ANZAC DAY (AMENDMENT) BILL—*(Hon. J. E. Kirner)*—Second reading.
- *2 SALE OF GOODS (VIENNA CONVENTION) BILL—*(Hon. J. H. Kennan)*—Second reading.
- *3 CRIMES (GRAND JURIES) BILL—*(Hon. J. H. Kennan)*—Second reading.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. B. T. PULLEN—To move, That this House condemns proposals to introduce a broad based consumption tax or similar taxes in Australia, as this would increase the cost of living of Victorians, impose an inequitable tax burden on low and middle income earners, and put an unbearable burden on the wages system.
- 4 THE HON. B. W. MIER—To move, That this House condemns proposals of the Liberal Party for the withdrawal of Commonwealth Government assistance to State and Local Government.

* Indicates new entry.

- 5 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, that Governments return a larger proportion to our road network, and in particular to rural municipalities.
- 6 **THE HON. B. A. CHAMBERLAIN**—To move:
- 1 That a Joint Select Committee be appointed to inquire into and report upon 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.
 - 2 That the Committee have power to present interim reports and be required to present its Final Report to the Parliament no later than 30 November 1988.
 - 3 That the Committee consist of six members, comprising not more than two Members of the Legislative Council nor more than five Members of the Legislative Assembly.
 - 4 That three members of the Committee constitute a quorum of the Committee.
 - 5 That the Committee shall elect one of its members to be Chairman who, in the event of an equality of votes, shall also have a casting vote.
 - 6 That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - 7 That the Committee may sit and transact business during any adjournment or recess of the Houses in the period for which it holds office but the Committee shall not sit while either House of Parliament is actually sitting, except by leave of that House and at a place that is within the Parliament Buildings.
 - 8 That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.
 - 9 That the Committee may send for persons, papers and records and report the minutes of evidence from time to time.

- 10 That the Committee have power to authorise publication of any evidence given before it and any document presented to it.
- 11 That the Committee be a Committee to which section 51A (1A) of the *Parliamentary Committees Act 1968* applies.
- 12 That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practices of the Houses, shall have effect notwithstanding anything contained in the Standing Orders.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 2 FILM VICTORIA REPORT, 1985-86—To be considered.
- 3 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1985-86—To be considered.
- 4 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1985-86—To be considered.
- 5 MELBOURNE UNIVERSITY REPORT, STATUTES AND REGULATIONS, 1985—To be considered.
- 6 NURSING COUNCIL REPORT, 1985-86—To be considered.
- 7 OPTOMETRISTS REGISTRATION BOARD REPORT, 1985-86—To be considered.
- 8 PHARMACY BOARD REPORT, 1985—To be considered.
- 9 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1985 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1985-86—To be considered.
- 10 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- *11 STATE BOARD OF EDUCATION REPORT, 1985-86—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

***MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)**—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Cocksedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 SPEECH OF HIS EXCELLENCY THE GOVERNOR—Motion for Address-in-Reply—*Resumption of debate. (Hon. J. V. C. Guest).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. B. T. PULLEN—To move, That this House condemns proposals to introduce a broad based consumption tax or similar taxes in Australia, as this would increase the cost of living of Victorians, impose an inequitable tax burden on low and middle income earners, and put an unbearable burden on the wages system.
- 4 THE HON. B. W. MIER—To move, That this House condemns proposals of the Liberal Party for the withdrawal of Commonwealth Government assistance to State and Local Government.
- 5 THE HON. R. M. HALLAM—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, calls on the Government to return a larger proportion to our road network, and in particular to rural municipalities.
- 6 THE HON. B. A. CHAMBERLAIN—To move:
 - 1 That a Joint Select Committee be appointed to inquire into and report upon 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.
- 2 That the Committee have power to present interim reports and be required to present its Final Report to the Parliament no later than 30 November 1988.
 - 3 That the Committee consist of six members, comprising not more than two Members of the Legislative Council nor more than five Members of the Legislative Assembly.
 - 4 That three members of the Committee constitute a quorum of the Committee.
 - 5 That the Committee shall elect one of its members to be Chairman who, in the event of an equality of votes, shall also have a casting vote.
 - 6 That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - 7 That the Committee may sit and transact business during any adjournment or recess of the Houses in the period for which it holds office but the Committee shall not sit while either House of Parliament is actually sitting, except by leave of that House and at a place that is within the Parliament Buildings.
 - 8 That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.
 - 9 That the Committee may send for persons, papers and records and report the minutes of evidence from time to time.
 - 10 That the Committee have power to authorise publication of any evidence given before it and any document presented to it.
 - 11 That the Committee be a Committee to which section 51A (1A) of the *Parliamentary Committees Act 1968* applies.
 - 12 That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practices of the Houses, shall have effect notwithstanding anything contained in the Standing Orders.

*7 THE HON. HADDON STOREY—To move, That a Committee of Privileges consisting of six members be appointed to inquire into and report upon complaints of breach of privilege which may be referred to it by the Council, the Committee to have power to send for persons, papers and records and to move from place to place; four to be the quorum.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 2 FILM VICTORIA REPORT, 1985-86—To be considered.
- 3 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1985-86—To be considered.
- 4 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1985-86—To be considered.

- 5 MELBOURNE UNIVERSITY REPORT, STATUTES AND REGULATIONS, 1985—
To be considered.
- 6 NURSING COUNCIL REPORT, 1985-86—To be considered.
- 7 OPTOMETRISTS REGISTRATION BOARD REPORT, 1985-86—To be considered.
- 8 PHARMACY BOARD REPORT, 1985—To be considered.
- 9 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1985 AND REGISTRAR
OF FRIENDLY SOCIETIES' REPORT, 1985-86—To be considered.
- 10 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second
reading.
- 11 STATE BOARD OF EDUCATION REPORT, 1985-86—To be considered.
- 12 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF 25 FEBRUARY
1987 OF EXEMPTIONS FROM REGULATIONS GRANTED TO DEPARTMENTS
AND PUBLIC BODIES—To be considered.
- *13 ARTS CENTRE TRUST REPORT, 1985-86—To be considered.
- *14 COUNTRY FIRE AUTHORITY REPORT, 1985-86—To be considered.
- *15 INDUSTRIAL TRAINING COMMISSION REPORT, 1985-86—To be considered.
- *16 CRIMINAL RESPONSIBILITY: INTENTION AND GROSS INTOXICATION—LAW
REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL
STATEMENT—To be considered.
- *17 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1985-86—To be considered.
- *18 MUSEUM COUNCIL REPORT, 1985-86—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 ANZAC DAY (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading—
Resumption of debate. (Hon. H. R. Ward).
- 2 SALE OF GOODS (VIENNA CONVENTION) BILL—(*Hon. J. H. Kennan*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 3 CRIMES (GRAND JURIES) BILL—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

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SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

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No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS**Nos. 3 and 4****No. 3—Tuesday, 3 March 1987**

- 1 The President took the Chair and read the Prayer.
- 2 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Annual Reporting Act 1983—Treasurer's advice of 25 February 1987 of exemptions granted to departments from the Annual Reporting (Administrative Units) Regulations 1985 and exemptions granted to public bodies from the Annual Reporting (Business Undertakings) Regulations 1984.
 - Arts Centre Trust—Report and statement of accounts for the year 1985–86.
 - Country Fire Authority—Report for the year 1985–86.
 - Industrial Training Commission—Report for the year 1985–86.
 - Law Reform Commission—Report on Criminal Responsibility: Intention and Gross Intoxication.
 - Metropolitan Fire Brigades Board—Report for the year 1985–86.
 - Museum Council—Report and statement of accounts for the year 1984–85.
 - Statutory Rules under the Local Government Act 1958—Nos. 18 to 22.
 - Town and Country Planning Act 1961—
 - Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 95.
 - Benalla—City of Benalla Planning Scheme—Amendments Nos. 39 and 42.
 - Kyabram—Town of Kyabram Planning Scheme 1963—Amendment No. 35, 1986.
 - Maffra—Shire of Maffra (Balance of Shire) Planning Scheme 1982; and Amendment No. 1, 1984.
 - Shepparton—City of Shepparton Planning Scheme 1953—Amendment No. 101, 1986.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules and amendments to Town and Country Planning Schemes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.
- 3 **MINISTERIAL STATEMENT—CRIMINAL RESPONSIBILITY**—The Honourable J. H. Kennan made a Ministerial Statement regarding the Report of the Law Reform Commission on Criminal Responsibility: Intention and Gross Intoxication.

The Honourable B. A. Chamberlain moved, That the Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.
- 4 **BUSINESS POSTPONED**—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 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, That there be referred to the Standing Orders Committee for examination and report the question of whether certain items of business traditionally listed on the Notice Paper as Government or General business more properly merit classification as “Business of the Council” and, in that event—

- (a) what items are appropriate to that category;
- (b) what precedence those items should be afforded in the order of business; and
- (c) what action (if any) is necessary to implement the Committee’s recommendations.

Debate ensued.

Question—put and resolved in the affirmative.

- 6 **ANZAC DAY (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable 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.

- 7 **SALE OF GOODS (VIENNA CONVENTION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

- 8 **CRIMES (GRAND JURIES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

- 9 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read 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 15 *ante*)—

Debate resumed.

The Honourable J. V. C. Guest 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 Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.33 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 4—Wednesday, 4 March 1987

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION—SUNDAY HORSE RACING**—The Honourable R. S. de Fegely presented a Petition from certain citizens of Victoria praying that moves towards Sunday horse racing be discontinued.
Ordered to lie on the Table.
- 3 **HUMAN TISSUE (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Human Tissue Act 1982*, 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 PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Grain Elevators Board—Report and financial statements for the year 1985–86.

Latrobe Valley Water and Sewerage Board—Report and statement of accounts for the year 1985–86.

Police Service Board—Determinations Nos. 468 and 469.

Port of Portland Authority—Balance sheets and statements of accounts for the year 1985–86.

The Honourable Haddon Storey 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 **BUSINESS POSTPONED**—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 Notices of Motion, General Business, Nos. 1 to 6 inclusive, be postponed until later this day.

- 6 **PRIVILEGES COMMITTEE**—The Honourable Haddon Storey moved, That a Committee of Privileges consisting of six members be appointed to inquire into and report upon complaints of breach of privilege which may be referred to it by the Council, the Committee to have power to send for persons, papers and records and to move from place to place; four to be the quorum.

The Honourable Evan 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.

- 7 **ROAD SAFETY COMMITTEE**—The Honourable B. A. Chamberlain moved—
 - 1 That a Joint Select Committee be appointed to inquire into and report upon 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.
- 2 That the Committee have power to present interim reports and be required to present its Final Report to the Parliament no later than 30 November 1988.
 - 3 That the Committee consist of six members, comprising not more than two Members of the Legislative Council nor more than five Members of the Legislative Assembly.
 - 4 That three members of the Committee constitute a quorum of the Committee.
 - 5 That the Committee shall elect one of its members to be Chairman who, in the event of an equality of votes, shall also have a casting vote.
 - 6 That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - 7 That the Committee may sit and transact business during any adjournment or recess of the Houses in the period for which it holds office but the Committee shall not sit while either House of Parliament is actually sitting, except by leave of that House and at a place that is within the Parliament Buildings.
 - 8 That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.
 - 9 That the Committee may send for persons, papers and records and report the minutes of evidence from time to time.
 - 10 That the Committee have power to authorise publication of any evidence given before it and any document presented to it.
 - 11 That the Committee be a Committee to which section 51A (1A) of the *Parliamentary Committees Act 1968* applies.
 - 12 That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practices of the Houses, shall have effect notwithstanding anything contained in the Standing Orders.

The Honourable 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.

- 8 **CONSUMPTION TAX**—The Honourable B. T. Pullen moved, That this House condemns proposals to introduce a broad based consumption tax or similar taxes in Australia, as this would increase the cost of living of Victorians, impose an inequitable tax burden on low and middle income earners, and put an unbearable burden on the wages system.

The Honourable J. V. C. Guest 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 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read 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 15 *ante*)—

Debate resumed.

The Honourable G. P. Connard 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 **HUMAN TISSUE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable G. P. Connard (for the Honourable M. A. Birrell) 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 Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 17 March 1987.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.32 p.m., adjourned until Tuesday, 17 March 1987.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 SPEECH OF HIS EXCELLENCY THE GOVERNOR—Motion for Address-in-Reply—*Resumption of debate.* (Hon. G. P. Connard).

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 ANZAC DAY (AMENDMENT) BILL—(Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 2 SALE OF GOODS (VIENNA CONVENTION) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 3 CRIMES (GRAND JURIES) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- *4 HUMAN TISSUE (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. B. W. MIER—To move, That this House condemns proposals of the Liberal Party for the withdrawal of Commonwealth Government assistance to State and Local Government.
- 4 THE HON. R. M. HALLAM—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, calls on the Government to return a larger proportion to our road network, and in particular to rural municipalities.
- *5 THE HON. R. J. LONG—To move, That this House strongly condemns the Government for rejecting the Ombudsman's recommendation contained in his report tabled in this House on 20 November 1986 that appropriate compensation be paid to remedy an injustice to certain complainants following the acquisition of their farming properties for the purpose of building the Blue Rock Dam, and calls on the Government immediately to remedy such injustice.

* Indicates new entry.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—
Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 2 **FILM VICTORIA REPORT, 1985-86**—To be considered.
- 3 **GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1985-86**—To be
considered.
- 4 **GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1985-86**—To be
considered.
- 5 **MELBOURNE UNIVERSITY REPORT, STATUTES AND REGULATIONS, 1985**—
To be considered.
- 6 **NURSING COUNCIL REPORT, 1985-86**—To be considered.
- 7 **OPTOMETRISTS REGISTRATION BOARD REPORT, 1985-86**—To be considered.
- 8 **PHARMACY BOARD REPORT, 1985**—To be considered.
- 9 **TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1985 AND REGISTRAR
OF FRIENDLY SOCIETIES' REPORT, 1985-86**—To be considered.
- 10 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second
reading.
- 11 **STATE BOARD OF EDUCATION REPORT, 1985-86**—To be considered.
- 12 **ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF 25 FEBRUARY
1987 OF EXEMPTIONS FROM REGULATIONS GRANTED TO DEPARTMENTS
AND PUBLIC BODIES**—To be considered.
- 13 **ARTS CENTRE TRUST REPORT, 1985-86**—To be considered.
- 14 **COUNTRY FIRE AUTHORITY REPORT, 1985-86**—To be considered.
- 15 **INDUSTRIAL TRAINING COMMISSION REPORT, 1985-86**—To be considered.
- 16 **CRIMINAL RESPONSIBILITY: INTENTION AND GROSS INTOXICATION—LAW
REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL
STATEMENT**—To be considered.
- 17 **METROPOLITAN FIRE BRIGADES BOARD REPORT, 1985-86**—To be considered.
- 18 **MUSEUM COUNCIL REPORT, 1984-85**—To be considered.
- *19 **GRAIN ELEVATORS BOARD REPORT, 1985-86**—To be considered.
- *20 **LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1985-86**—To
be considered.
- *21 **PRIVILEGES COMMITTEE—Motion for appointment**—(*Hon. Haddon Storey*)—
Resumption of debate. (Hon. Evan Walker).
- *22 **ROAD SAFETY COMMITTEE—Motion for appointment**—(*Hon. B. A.
Chamberlain*)—*Resumption of debate. (Hon. B. P. Dunn).*
- *23 **CONSUMPTION TAX—Motion condemning policies advocating introduction in
view of burden on wages system and certain income earners**—(*Hon. B. T.
Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 SPEECH OF HIS EXCELLENCY THE GOVERNOR—Motion for Address-in-Reply—*Resumption of debate. (Hon. G. P. Connard).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. B. W. MIER—To move, That this House condemns proposals of the Liberal Party for the withdrawal of Commonwealth Government assistance to State and Local Government.
- 4 THE HON. R. M. HALLAM—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, calls on the Government to return a larger proportion to our road network, and in particular to rural municipalities.
- 5 THE HON. R. J. LONG—To move, That this House strongly condemns the Government for rejecting the Ombudsman's recommendation contained in his report tabled in this House on 20 November 1986 that appropriate compensation be paid to remedy an injustice to certain complainants following the acquisition of their farming properties for the purpose of building the Blue Rock Dam, and calls on the Government immediately to remedy such injustice.
- *6 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- *7 THE HON. D. M. EVANS—To move, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.
- *8 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other

* Indicates new entry.

support services which enhance the opportunities and options for participation in the wider community.

- *9 THE HON. A. J. HUNT—To move, That this House condemns the lack by the Government of commercial realism and proper planning, openness and frankness with respect to major projects, and calls upon the Government to adopt new procedures and guidelines regarding such projects to ensure:

- (a) Equity;
 (b) Maximum certainty;
 (c) Careful planning in advance;
 (d) The setting of realistic priorities;
 (e) The application of sound commercial principles and practice;
 (f) Fully independent professional evaluation;
 (g) Frank and open information at *all* stages; and
 (h) Confidence in and respect for the planning and tendering processes.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 2 FILM VICTORIA REPORT, 1985–86—To be considered.
- 3 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1985–86—To be considered.
- 4 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1985–86—To be considered.
- 5 MELBOURNE UNIVERSITY REPORT, STATUTES AND REGULATIONS, 1985—To be considered.
- 6 NURSING COUNCIL REPORT, 1985–86—To be considered.
- 7 OPTOMETRISTS REGISTRATION BOARD REPORT, 1985–86—To be considered.
- 8 PHARMACY BOARD REPORT, 1985—To be considered.
- 9 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1985 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1985–86—To be considered.
- 10 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 11 STATE BOARD OF EDUCATION REPORT, 1985–86—To be considered.
- 12 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF 25 FEBRUARY 1987 OF EXEMPTIONS FROM REGULATIONS GRANTED TO DEPARTMENTS AND PUBLIC BODIES—To be considered.
- 13 ARTS CENTRE TRUST REPORT, 1985–86—To be considered.
- 14 COUNTRY FIRE AUTHORITY REPORT, 1985–86—To be considered.
- 15 INDUSTRIAL TRAINING COMMISSION REPORT, 1985–86—To be considered.
- 16 CRIMINAL RESPONSIBILITY: INTENTION AND GROSS INTOXICATION—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 17 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1985–86—To be considered.
- 18 MUSEUM COUNCIL REPORT, 1984–85—To be considered.
- 19 GRAIN ELEVATORS BOARD REPORT, 1985–86—To be considered.

- 20 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1985-86—To be considered.
- 21 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 22 ROAD SAFETY COMMITTEE—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 23 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- *24 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- *25 ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 47 to 51—To be considered.
- *26 BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1986—To be considered.
- *27 EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 16 FEBRUARY 1987 REGARDING RESUMPTION OF LAND AT HALLAM—To be considered.
- *28 INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1985-86—To be considered.
- *29 NATIONAL GALLERY OF VICTORIA COUNCIL REPORT, 1985-86—To be considered.
- *30 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1985-86—To be considered.
- *31 ROAD SAFETY ACT 1986—ORDER IN COUNCIL OF 24 FEBRUARY 1987 SPECIFYING "DESIGNATED PLACES" FOR TAKING BLOOD SAMPLES FOLLOWING MOTOR VEHICLE ACCIDENTS—To be considered.
- *32 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1985-86—To be considered.
- *33 PUBLIC RECORD OFFICE REPORT, 1985-86—To be considered.

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. J. H. KENNAN—To move, That he have leave to bring in a Bill to amend the *National Companies and Securities Commission (State Provisions) Act 1981*, the *Securities Industry (Application of Laws) Act 1981*, the *Companies (Acquisition of Shares) (Application of Laws) Act 1981* and the *Futures Industry (Application of Laws) Act 1986* and for other purposes.

ORDERS OF THE DAY

- *1 EXTRACTIVE INDUSTRIES (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- *2 FISHERIES (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading.
- *3 HEALTH SERVICES (CONCILIATION AND REVIEW) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- 4 SALE OF GOODS (VIENNA CONVENTION) BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.

- 5 HUMAN TISSUE (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*

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TUESDAY, 24 MARCH
GOVERNMENT BUSINESS

ORDER OF THE DAY

- *1 NATIONAL PARKS (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—*Second reading—Resumption of debate. (Hon. R. S. de Fegely).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

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Thursday—11.00 a.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 5 and 6

No. 5—Tuesday, 17 March 1987

- 1 The President took the Chair and read the Prayer.
- 2 **NATIONAL PARKS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish new parks, to enlarge and vary the boundaries of existing parks, to amend the ‘National Parks Act 1975’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **FISHERIES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Fisheries Act 1968* to introduce a system for the determination of certain matters by notice 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 **MINISTERIAL STATEMENT—HEALTH MANAGEMENT**—The Honourable D. R. White made a Ministerial Statement regarding the Government’s approach to Health Management.

The Honourable M. A. Birrell moved, by leave, That the Ministerial Statement be taken into consideration forthwith.

Question—put and resolved in the affirmative.

Accordingly, the Honourable M. A. Birrell moved, That the Council take note of the Ministerial Statement.

Debate ensued.

The Honourable K. I. M. 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.

- 5 **PAPERS**—

ADMINISTRATIVE ARRANGEMENTS—The Honourable D. R. White moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 47 to 51 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Orders be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

- Border Groundwaters Agreement Review Committee—Report for the period 21 April to 30 June 1986.
- Education Act 1958—Minister's certificate of 16 February 1987 regarding the resumption of land at Hallam.
- Institute of Educational Administration—Report and statement of accounts for the year 1985–86.
- National Gallery of Victoria Council—Report for the year 1985–86.
- Poultry Farmer Licensing Review Committee—Report for the year 1985–86.
- Publications—Report of the State Classification of Publications Board for the year 1985–86.
- Public Record Office—Report for the year 1985–86.
- Road Safety Act 1986—Order in Council dated 24 February 1987 specifying “designated places” for the taking of blood samples following motor vehicle accidents.
- Statutory Rules under the following Acts of Parliament:
- Accident Compensation Act 1985—No. 37.
 - Emergency Services Superannuation Act 1986—No. 30.
 - Firearms Act 1958—Nos. 25 and 35.
 - Hospitals and Charities Act 1958—Nos. 27 and 28.
 - Lotteries Gaming and Betting Act 1966—No. 36.
 - Magistrates' Courts Act 1971—Magistrates (Summary Proceedings) Act 1975—No. 31.
 - Melbourne and Metropolitan Board of Works Act 1958—No. 32.
 - Motor Car Act 1958—No. 23.
 - Public Service Act 1974—No. 38.
 - Retirement Villages Act 1986—No. 26.
 - Road Safety Act 1986—No. 24, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:
 - Manufacturer's Design Circuits relating to Speed Cameras, Digitectors and Radar Devices:
 - Circuit Diagrams—Digitector Portable Speed Measuring Device.
 - Circuit Diagrams—Kustom Falcon Hand Held Radar.
 - Circuit Diagrams—Kustom HR-4 Hand Held Radar.
 - Circuit Diagrams—Muni Quip MDR-1 Mobile Radar.
 - Circuit Diagram—Victoria Police Speed Camera I.D.M.S.-SAC/1.
 - MA 5036 Low Cost Digital LED Clock/Timer Module.
 - Wildlife Act 1975—Nos. 33 and 34.
 - Workers Compensation Act 1958—No. 29.
- Town and Country Planning Act 1961—
- Bacchus Marsh—Shire of Bacchus Marsh Planning Scheme—Amendment No. 38.
 - Bairnsdale—Town of Bairnsdale Planning Scheme—Amendments Nos. 55, 68 and 69.
 - Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 92.
 - Ballarat—Shire of Ballarat Planning Scheme—Amendment No. 19.
 - Geelong Regional Planning Scheme—Amendment No. 165.
 - Horsham—City of Horsham Planning Scheme 1982—Amendment No. 115, 1986.
 - Mildura—City of Mildura Planning Scheme—Amendment No. 70, 1984.
 - Sale—City of Sale Planning Scheme 1975—Amendments Nos. 25 and 30, 1985.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules and Planning Schemes under the *Town and Country Planning Act 1961*, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 **BUSINESS POSTPONED**—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.

- 7 **ANZAC DAY (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 8 **SALE OF GOODS (VIENNA CONVENTION) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable R. Lawson 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.

- 9 **CRIMES (GRAND JURIES) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—Debate resumed.

The Honourable B. A. Chamberlain 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 the proposals contained in the Bill have been referred to the Legal and Constitutional Committee for inquiry, consideration and report within three months and the Committee has reported to the House”.

Debate ensued.

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

The Council divided.

AYES, 18

The Hon. Joan Coxsedge
G. R. Crawford
J. L. Dixon (*Teller*)
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro

NOES, 20

The Hon. W. R. Baxter (*Teller*)
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely (*Teller*)
B. P. Dunn
D. M. Evans
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid

Evan Walker
D. R. White

Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. 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.

Question—That this House refuses to read this Bill a second time until the proposals contained in the Bill have been referred to the Legal and Constitutional Committee for inquiry, consideration and report within three months and the Committee has reported to the House—put and resolved in the affirmative.

The Honourable B. A. Chamberlain moved, by leave, That the proposals contained in the Crimes (Grand Juries) Bill be referred to the Legal and Constitutional Committee for inquiry, consideration and report within three months.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them of the foregoing resolution and desiring their concurrence therein.

- 10 **NATIONAL PARKS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable R. S. de Fegely 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 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read 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 15 *ante*)—

Debate resumed.

The Honourable G. P. Connard 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 **HEALTH SERVICES (CONCILIATION AND REVIEW) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide an independent and accessible review mechanism for users of health services and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **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', the 'Extractive Industries (Amendment) Act 1984' and the 'Extractive Industries (Amendment) Act 1986' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.14 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 6—Wednesday, 18 March 1987

- 1 The President took the Chair and read the Prayer.
- 2 **VICTORIA GRANTS COMMISSION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Victoria Grants Commission Act 1976’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable C. J. Hogg, 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.
- 3 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:
Statutory Rules under the Public Service Act 1974—PSD Nos. 2 and 5 to 8.
- 4 **BUSINESS POSTPONED**—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 Notices of Motion, General Business, Nos. 1 to 8 inclusive, be postponed until later this day.
- 5 **MAJOR PROJECTS**—The Honourable A. J. Hunt moved, That this House condemns the lack by the Government of commercial realism and proper planning, openness and frankness with respect to major projects, and calls upon the Government to adopt new procedures and guidelines regarding such projects to ensure:
 - (a) Equity;
 - (b) Maximum certainty;
 - (c) Careful planning in advance;
 - (d) The setting of realistic priorities;
 - (e) The application of sound commercial principles and practice;
 - (f) Fully independent professional evaluation;
 - (g) Frank and open information at all stages; and
 - (h) Confidence in and respect for the planning and tendering processes.

Debate ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn

NOES, 19

The Hon. M. J. Arnold
Joan Cocksedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg

D. M. Evans	J. H. Kennan
F. J. Granter (<i>Teller</i>)	C. J. Kennedy (<i>Teller</i>)
J. V. C. Guest (<i>Teller</i>)	J. E. Kirner
R. M. Hallam	W. A. Landeryou (<i>Teller</i>)
A. J. Hunt	M. A. Lyster
R. Lawson	L. A. McArthur
R. J. Long	J. McLean
R. Macey	B. W. Mier
J. G. Miles	B. T. Pullen
N. B. Reid	M. J. Sandon
Haddon Storey	G. A. Sgro
Rosemary Varty	Evan Walker
H. R. Ward	D. R. White
K. I. M. Wright	

And so it was resolved in the affirmative.

- 6 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—The Honourable B. W. Mier moved, That this House condemns proposals of the Liberal Party for the withdrawal of Commonwealth Government assistance to State and Local Government.

The Honourable J. V. C. Guest 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 **GROCERY PRICES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision for the regulation of grocery prices and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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 POSTPONED**—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until later this day.

- 9 **COMPANIES AND SECURITIES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL**—On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), leave was given to bring in a Bill to amend the *National Companies and Securities Commission (State Provisions) Act 1981*, the *Securities Industry (Application of Laws) Act 1981*, the *Companies (Acquisition of Shares) (Application of Laws) Act 1981* and the *Futures Industry (Application of Laws) Act 1986* 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 11 **FISHERIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable Haddon Storey (for the Honourable R. S. de Fegely) 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 **EXTRACTIVE INDUSTRIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable Rosemary Varty 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 **GROCERY PRICES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

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

Debate ensued.

Question—put.

The Council divided.

AYES, 16

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. J. Granter
 J. V. C. Guest
 A. J. Hunt (*Teller*)
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward

NOES, 25

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster (*Teller*)
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White
 K. I. M. Wright

And so it passed in the negative.

Debate continued.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 25

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans

NOES, 16

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. J. Granter
 J. V. C. Guest
 A. J. Hunt

R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White
 K. I. M. Wright

R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 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.

And having continued to sit until after 12 midnight—

THURSDAY, 19 MARCH 1987

The President resumed the Chair; and the Honourable G. A. Sgro 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 Honourable D. R. White moved, That the Bill be now read a third time.

Debate ensued.

Question—put.

The Council divided.

AYES, 25

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy (*Teller*)
 B. T. Pullen
 M. J. Sandon

NOES, 16

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. J. Granter
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey (*Teller*)
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward

G. A. Sgro
Evan Walker
D. R. White
K. I. M. Wright

And so it was resolved in the affirmative —Bill 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.

- 14 **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 for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **PLANNING APPEALS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Administrative Appeals Tribunal Act 1984’ and the ‘Planning Appeals Board Act 1980’, to make consequential amendments to certain other Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, 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 **GAS AND FUEL CORPORATION (AMENDMENT) 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 to repeal the ‘Gas Act 1969’, the ‘Gas Franchises Act 1970’ and the ‘Liquified Petroleum Gas Subsidy Act 1980’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

- 17 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

And then the Council, at 12.34 a.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 **SPEECH OF HIS EXCELLENCY THE GOVERNOR**—Motion for Address-in-Reply—*Resumption of debate.* (Hon. G. P. Connard).

GOVERNMENT BUSINESS**ORDERS OF THE DAY**

- *1 **VICTORIA GRANTS COMMISSION (AMENDMENT) BILL**—*(from Assembly—Hon. C. J. Hogg)*—Second reading.
- *2 **COMPANIES AND SECURITIES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL**—*(Hon. J. H. Kennan)*—Second reading.
- *3 **RACING (AMENDMENT) BILL**—*(from Assembly—Hon. J. E. Kirner)*—Second reading.
- *4 **PLANNING APPEALS (AMENDMENT) BILL**—*(from Assembly—Hon. J. H. Kennan)*—Second reading.
- *5 **GAS AND FUEL CORPORATION (AMENDMENT) BILL**—*(from Assembly—Hon. D. R. White)*—Second reading.
- 6 **EXTRACTIVE INDUSTRIES (AMENDMENT) BILL**—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate.* (Hon. Rosemary Varty).
- 7 **FISHERIES (AMENDMENT) BILL**—*(Hon. J. E. Kirner)*—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).
- 8 **HEALTH SERVICES (CONCILIATION AND REVIEW) BILL**—*(from Assembly—Hon. D. R. White)*—Second reading.
- 9 **SALE OF GOODS (VIENNA CONVENTION) BILL**—*(Hon. J. H. Kennan)*—To be further considered in Committee.
- 10 **NATIONAL PARKS (AMENDMENT) BILL**—*(from Assembly—Hon. J. E. Kirner)*—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).
- 11 **HUMAN TISSUE (AMENDMENT) BILL**—*(Hon. D. R. White)*—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).

GENERAL BUSINESS**NOTICES OF MOTION**

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

* Indicates new entry.

- 3 **THE HON. R. M. HALLAM**—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, calls on the Government to return a larger proportion to our road network, and in particular to rural municipalities.
- 4 **THE HON. R. J. LONG**—To move, That this House strongly condemns the Government for rejecting the Ombudsman's recommendation contained in his report tabled in this House on 20 November 1986 that appropriate compensation be paid to remedy an injustice to certain complainants following the acquisition of their farming properties for the purpose of building the Blue Rock Dam, and calls on the Government immediately to remedy such injustice.
- 5 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 6 **THE HON. D. M. EVANS**—To move, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.
- 7 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- *8 **THE HON. H. R. WARD**—To move, That the Government be condemned for its failure to accept the findings by the Ombudsman that an injustice had been done to two complainants, former employees of Victoria's 150th Anniversary Secretariat, and that such injustice was not remedied by compensation in line with that now approved for Crown appointees whose employment is terminated before the expiration of their agreed period of employment, and calls upon the Government to make appropriate payments to the complainants as recommended by the Ombudsman.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **STATE BOARD OF EDUCATION REPORT, 1985-86**—To be considered.
- 4 **ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF 25 FEBRUARY 1987 OF EXEMPTIONS FROM REGULATIONS GRANTED TO DEPARTMENTS AND PUBLIC BODIES**—To be considered.
- 5 **ARTS CENTRE TRUST REPORT, 1985-86**—To be considered.
- 6 **COUNTRY FIRE AUTHORITY REPORT, 1985-86**—To be considered.
- 7 **INDUSTRIAL TRAINING COMMISSION REPORT, 1985-86**—To be considered.

- 8 **CRIMINAL RESPONSIBILITY: INTENTION AND GROSS INTOXICATION—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.**
- 9 **METROPOLITAN FIRE BRIGADES BOARD REPORT, 1985–86—To be considered.**
- 10 **MUSEUM COUNCIL REPORT, 1984–85—To be considered.**
- 11 **GRAIN ELEVATORS BOARD REPORT, 1985–86—To be considered.**
- 12 **LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1985–86—To be considered.**
- 13 **PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).**
- 14 **ROAD SAFETY COMMITTEE—Motion for appointment—(Hon. B. A. Chamberlain)—Resumption of debate. (Hon. B. P. Dunn).**
- 15 **CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—Resumption of debate. (Hon. J. V. C. Guest).**
- 16 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. M. A. Birrell)—Resumption of debate. (Hon. K. I. M. Wright).**
- 17 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 47 to 51—To be considered.**
- 18 **BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1986—To be considered.**
- 19 **EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 16 FEBRUARY 1987 REGARDING RESUMPTION OF LAND AT HALLAM—To be considered.**
- 20 **INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1985–86—To be considered.**
- 21 **NATIONAL GALLERY OF VICTORIA COUNCIL REPORT, 1985–86—To be considered.**
- 22 **POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1985–86—To be considered.**
- 23 **ROAD SAFETY ACT 1986—ORDER IN COUNCIL OF 24 FEBRUARY 1987 SPECIFYING "DESIGNATED PLACES" FOR TAKING BLOOD SAMPLES FOLLOWING MOTOR VEHICLE ACCIDENTS—To be considered.**
- 24 **STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1985–86—To be considered.**
- 25 **PUBLIC RECORD OFFICE REPORT, 1985–86—To be considered.**
- *26 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning prospects for withdrawal—(Hon. B. W. Mier)—Resumption of debate. (Hon. J. V. C. Guest).**

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 SPEECH OF HIS EXCELLENCY THE GOVERNOR—Motion for Address-in-Reply—*Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. R. M. HALLAM—To move, That this House deplores the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, calls on the Government to return a larger proportion to our road network, and in particular to rural municipalities.
- 4 THE HON. R. J. LONG—To move, That this House strongly condemns the Government for rejecting the Ombudsman's recommendation contained in his report tabled in this House on 20 November 1986 that appropriate compensation be paid to remedy an injustice to certain complainants following the acquisition of their farming properties for the purpose of building the Blue Rock Dam, and calls on the Government immediately to remedy such injustice.
- 5 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 6 THE HON. D. M. EVANS—To move, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.
- 7 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.

- 8 **THE HON. H. R. WARD**—To move, That the Government be condemned for its failure to accept the findings by the Ombudsman that an injustice had been done to two complainants, former employees of Victoria's 150th Anniversary Secretariat, and that such injustice was not remedied by compensation in line with that now approved for Crown appointees whose employment is terminated before the expiration of their agreed period of employment, and calls upon the Government to make appropriate payments to the complainants as recommended by the Ombudsman.
- *9 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF 25 FEBRUARY 1987 OF EXEMPTIONS FROM REGULATIONS GRANTED TO DEPARTMENTS AND PUBLIC BODIES**—To be considered.
- 4 **ARTS CENTRE TRUST REPORT, 1985-86**—To be considered.
- 5 **COUNTRY FIRE AUTHORITY REPORT, 1985-86**—To be considered.
- 6 **INDUSTRIAL TRAINING COMMISSION REPORT, 1985-86**—To be considered.
- 7 **CRIMINAL RESPONSIBILITY: INTENTION AND GROSS INTOXICATION—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 8 **METROPOLITAN FIRE BRIGADES BOARD REPORT, 1985-86**—To be considered.
- 9 **MUSEUM COUNCIL REPORT, 1984-85**—To be considered.
- 10 **GRAIN ELEVATORS BOARD REPORT, 1985-86**—To be considered.
- 11 **LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1985-86**—To be considered.
- 12 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 13 **ROAD SAFETY COMMITTEE**—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 14 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 15 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 16 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 47 to 51**—To be considered.
- 17 **BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1986**—To be considered.

- 18 EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 16 FEBRUARY 1987 REGARDING RESUMPTION OF LAND AT HALLAM—To be considered.
- 19 INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1985-86—To be considered.
- 20 NATIONAL GALLERY OF VICTORIA COUNCIL REPORT, 1985-86—To be considered.
- 21 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1985-86—To be considered.
- 22 ROAD SAFETY ACT 1986—ORDER IN COUNCIL OF 24 FEBRUARY 1987 SPECIFYING "DESIGNATED PLACES" FOR TAKING BLOOD SAMPLES FOLLOWING MOTOR VEHICLE ACCIDENTS—To be considered.
- 23 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1985-86—To be considered.
- 24 PUBLIC RECORD OFFICE REPORT, 1985-86—To be considered.
- 25 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- *26 COAL MINE WORKER'S PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1985-86—To be considered.
- *27 HOSPITALS SUPERANNUATION BOARD REPORT, 1985-86—To be considered.
- *28 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1985-86—To be considered.
- *29 MOTOR ACCIDENTS BOARD REPORT, 1985-86—To be considered.
- *30 CARE AND USE OF ANIMALS FOR EXPERIMENTAL PURPOSES—CODE OF PRACTICE—To be considered.
- *31 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1985-86—To be considered.
- *32 SUPERANNUATION BOARD REPORT, 1985-86—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 JUDICIAL SALARIES BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- *2 CRIMES (FAMILY VIOLENCE) BILL —(*Hon. J. H. Kennan*)—Second reading.
- *3 DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading.
- *4 JURISDICTION OF COURTS (CROSS-VESTING) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *5 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading.
- *6 ENVIRONMENT PROTECTION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 7 COMPANIES AND SECURITIES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 8 PLANNING APPEALS (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

- 9 **GAS AND FUEL CORPORATION (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. Rosemary Varty).
- 10 **HEALTH SERVICES (CONCILIATION AND REVIEW) BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 11 **HUMAN TISSUE (AMENDMENT) BILL**—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. K. I. M. Wright).
- 12 **FISHERIES (AMENDMENT) BILL**—(Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).
- 13 **SALE OF GOODS (VIENNA CONVENTION) BILL**—(Hon. J. H. Kennan)—To be further considered in Committee.
- 14 **NATIONAL PARKS (AMENDMENT) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).

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TUESDAY, 7 APRIL

GOVERNMENT BUSINESS

ORDER OF THE DAY

- *1 **PLANNING AND ENVIRONMENT BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).

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TUESDAY, 28 APRIL

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **VICTORIA GRANTS COMMISSION (AMENDMENT) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. Macey).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 7 and 8

No. 7—Tuesday, 24 March 1987.

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker 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:
Grocery Prices Act.
- 3 **GROCERY PRICES BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made in such Bill by the Council.
- 4 **JUDICIAL SALARIES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for determining judicial salaries, to amend the 'Constitution Act 1975' and the 'County Court Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White (for the Honourable J. H. Kennan), 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 **PETITION—CAVENDISH PRIMARY SCHOOL**—The Honourable R. M. Hallam presented a Petition from certain citizens of Victoria praying that the Government give a commitment to retain and maintain the Head Teacher's residence at Cavendish Primary School.
Ordered to lie on the Table.
- 6 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend Part V of the *Drugs, Poisons and Controlled Substances Act 1981* 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 **CRIMES (FAMILY VIOLENCE) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker (for the Honourable J. H. Kennan), leave was given to bring in a Bill to provide for intervention orders in cases of family violence and to make amendments to the *Crimes 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.
- 8 **JURISDICTION OF COURTS (CROSS-VESTING) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker (for the Honourable J. H. Kennan), leave was given to bring in a Bill relating to the cross-vesting of certain jurisdiction, 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 **DE FACTO RELATIONSHIPS BILL**—On the motion (by leave without notice) of the Honourable Evan Walker (for the Honourable J. H. Kennan), leave was given to bring in a Bill to provide for the resolution of disputes between de facto partners and

to amend the *Administration and Probate 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 **ENVIRONMENT PROTECTION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker (for the Honourable J. H. Kennan), leave was given to bring in a Bill to amend the *Environment Protection Act 1970* 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**—

COAL MINERS' ACCIDENTS RELIEF BOARD—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of the Report of the Victorian Coal Miners' Accidents Relief Board for the year 1985–86.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

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PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of the Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year 1985–86.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

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

Coal Mine Workers' Pensions Tribunal (Victoria)—Statement of accounts for the year 1985–86.

Hospitals Superannuation Board—Report and financial statements for the year 1985–86.

Metropolitan Fire Brigades Superannuation Board—Report and financial statements for the year 1985–86.

Motor Accidents Board—Report for the year 1985–86.

Prevention of Cruelty to Animals Act 1986—Code of Practice for the care and use of animals for experimental purposes.

State Employees Retirement Benefits Board—Report and financial statements for the year 1985–86.

Statutory Rules under the following Acts of Parliament:

Credit (Administration) Act 1984—No. 41.

Finance Brokers Act 1969—No. 43.

Superannuation Benefits Act 1977—No. 40.

Water Act 1958—No. 44.

Weights and Measures Act 1958—No. 42.

Wildlife Act 1975—No. 39.

Superannuation Board—Report and financial statements for the year 1985–86.

Town and Country Planning Act 1961—

Bulla—Shire of Bulla Planning Scheme 1959—Amendment No. 102, 1985.

Hamilton—City of Hamilton Planning Scheme—Amendment No. 25.

Town and Country Planning Act 1961—*continued*

Morwell—Shire of Morwell Planning Scheme 1977—Amendment No. 42.

Rochester—Shire of Rochester (Rochester Township) Planning Scheme—Amendment No. 22.

Shepparton—City of Shepparton Planning Scheme 1953—Amendments No. 97, 1985; and No. 102, 1986.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendment No. 46.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 73.

Swan Hill—Shire of Swan Hill Nyah-Nyah West Planning Scheme—Amendment No. 4.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 67.

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PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 24 February 1987:

Bail (Amendment) Act 1986—Parts 1 and 2—15 February 1987 (*Gazette* No. G6, 11 February 1987).

Crimes (Proceedings) Act 1986—1 April 1987 (*Gazette* No. G10, 11 March 1987).

Fisheries (Master Fisherman's Licences) Act 1986—Whole Act, except section 5—31 March 1987 (*Gazette* No. G10, 11 March 1987).

Listening Devices (Amendment) Act 1986—15 February 1987 (*Gazette* No. G6, 11 February 1987).

Martial Arts Control Act 1986—Sections 11 and 17—11 March 1987 (*Gazette* No. G10, 11 March 1987).

Retirement Villages Act 1986—Part 1 and section 43—25 February 1987 (*Gazette* No. G8, 25 February 1987).

Road Safety Act 1986—Part 5 and sections 59 (1) (except paragraphs (a), (c) and (d)), 59 (2) (except paragraphs (b) and (c)), 59 (5), 62 to 73, 75, 76 (2), 77 to 84, 91 to 96, 100, 102, 103 (7), 103 (9), Schedules 1 and 2, Item 10 of Schedule 3, Items 9, 12, 18.8, 29.1 (except paragraphs (a), (c), (d), (e) and (f)), 29.2 (in its application to sections 39 (2), 39 (3), 40 and 41 (1) of the *Transport Accident Act 1986*), 29.3, 29.5, 29.6 (except paragraph (b)), 29.8 to 29.13 and 29.17 of Schedule 4—1 March 1987; Part 3 and sections 59 (1) (a), 59 (2) (b), 59 (2) (c), 59 (3), 59 (4), 59 (9), 103 (1), 103 (2), 103 (6), 103 (10), 103 (11), Item 7 of Schedule 3, Items 10, 18.3, 18.4, 18.5, 29.2 (in its application to sections 39 (4) and 39 (5) of the *Transport Accident Act 1986*), 29.6 (b) and 29.7 of Schedule 4—1 May 1987; Sections 97 and 103 (8)—1 July 1987 (*Gazette* No. G8, 25 February 1987); Section 74—9 March 1987 (*Gazette* No. G9, 4 March 1987).

Water (Miscellaneous Amendments) Act 1986—Sections 4, 5, 7 and 9 to 13—4 March 1987 (*Gazette* No. G9, 4 March 1987).

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The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules, Planning Schemes under the *Town and Country Planning Act 1961* and Proclamations as to operative dates of Statutes, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

12 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for an Address-in-Reply to the

Speech of His Excellency the Governor and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

- 13 **RACING (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, 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 **PLANNING APPEALS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
 The Honourable 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.
- 15 **COMPANIES AND SECURITIES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
 The Honourable 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.
- 16 **VICTORIA GRANTS COMMISSION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.
 The Honourable R. Macey 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, 28 April 1987.
- 17 **GAS AND FUEL CORPORATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable D. R. White) moved, That this Bill be now read a second time.
 The Honourable H. R. Ward (for the Honourable Rosemary Varty) 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.
- 18 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until later this day.
- 19 **HEALTH SERVICES (CONCILIATION AND REVIEW) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable D. R. White) moved, That this Bill be now read a second time.
 The Honourable H. R. Ward (for the Honourable M. A. Birrell) 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 **EXTRACTIVE INDUSTRIES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
 Bill read a second time and, by leave, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 9 and 10, be postponed until later this day.
- 22 **HUMAN TISSUE (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
 Debate resumed.
 The Honourable K. I. M. 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.
- 23 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to an Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 15 *ante*)—
 Debate resumed.
 The Honourable 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.
- 24 **PLANNING AND ENVIRONMENT BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish a framework for planning the use and development of land in Victoria and for other purposes*" and desiring the concurrence of the Council therein.
 On the motion of the Honourable J. H. Kennan, 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.
 Accordingly, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
 The Honourable 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 Tuesday, 7 April 1987.
- 25 **ADJOURNMENT**—The Honourable J. H. Kennan moved, That the House do now adjourn.
 Debate ensued.
 Question—put and resolved in the affirmative.

And then the Council, at 7.05 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 8—Wednesday, 25 March 1987

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION—TEACHER HOUSING, MERINO**—The Honourable R. M. Hallam presented a Petition from certain citizens of Victoria praying that the Ministry of Education's proposal to sell teacher housing at Merino be re-considered.
 Ordered to lie on the Table.

2 PAPERS—

LEGAL AND CONSTITUTIONAL COMMITTEE—The Honourable Haddon Storey presented the Eighth Report from the Legal and Constitutional Committee upon Subordinate Legislation (S.R. 284/1986).

Ordered to lie on the Table and to be printed.

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JUDICIAL SALARIES—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of an Inquiry into the Remuneration of Supreme and County Court Judges and Masters.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.

The Honourable J. H. Kennan made a Ministerial Statement in relation to the Report. The Honourable Haddon Storey moved, That the Report and related Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

Library Council—Report and statement of accounts for the year 1985–86.

Statutory Rule under the Fisheries Act 1968—No. 50.

The Honourable Haddon Storey 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.

- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for an Address-in-Reply to the Speech of His Excellency the Governor and Notices of Motion, General Business, Nos. 1 and 2, be postponed until later this day.

- 5 **ROAD FUNDING**—The Honourable R. M. Hallam moved, That this House deplors the low priority given to road funding by both the Federal and Victorian Governments and acknowledges that this has caused a serious decline in the standard and effectiveness of the Victorian road network and, in view of the huge sums raised from the motorist, calls on the Government to return a larger proportion to our road network, and in particular to rural municipalities.

Debate ensued.

Question—put and resolved in the affirmative.

- 6 **ANZAC DAY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

- 7 **COGNATE SUBJECTS**—The Honourable H. R. Ward moved, by leave, That this House authorizes and requires the Honourable the President to permit Notices of Motion, General Business, Nos. 4 and 8 to be moved seriatim, and for the debate on the questions arising from those motions to be taken concurrently.

Question—put and resolved in the affirmative.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 4 to 9 inclusive, and the Orders of the Day, General Business, be postponed until later this day.

- 9 **JUDICIAL SALARIES BILL**—This Bill was, according to Order and after debate, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and, by leave, 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.

- 10 **CRIMES (FAMILY VIOLENCE) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

- 11 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain (for the Honourable M. A. Birrell) 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.

- 12 **JURISDICTION OF COURTS (CROSS-VESTING) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

- 13 **DE FACTO RELATIONSHIPS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

- 14 **ENVIRONMENT PROTECTION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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 Tuesday, 7 April 1987.

- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 7, be postponed until later this day.

- 16 **PLANNING APPEALS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Honourable G. A. Sgro 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 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

17 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 7 April 1987.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.53 p.m., adjourned until Tuesday, 7 April 1987.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 SPEECH OF HIS EXCELLENCY THE GOVERNOR—Motion for Address-in-Reply—*Resumption of debate. (Hon. B. A. Chamberlain).*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 PLANNING AND ENVIRONMENT BILL—*(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).*
- *2 ENVIRONMENT PROTECTION (AMENDMENT) BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).*
- 3 NATIONAL PARKS (AMENDMENT) BILL—*(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).*
- 4 FISHERIES (AMENDMENT) BILL—*(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).*
- 5 DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL—*(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).*
- 6 HEALTH SERVICES (CONCILIATION AND REVIEW) BILL—*(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).*
- 7 HUMAN TISSUE (AMENDMENT) BILL—*(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. K. I. M. Wright).*
- 8 DE FACTO RELATIONSHIPS BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).*
- 9 JURISDICTION OF COURTS (CROSS-VESTING) BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. Haddon Storey).*
- 10 CRIMES (FAMILY VIOLENCE) BILL —*(Hon. J. H. Kennan)—Second reading—Resumption of debate (B. A. Chamberlain).*
- 11 COMPANIES AND SECURITIES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).*
- 12 GAS AND FUEL CORPORATION (AMENDMENT) BILL—*(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).*
- 13 SALE OF GOODS (VIENNA CONVENTION) BILL—*(Hon. J. H. Kennan)—To be further considered in Committee.*

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- †3 **THE HON. R. J. LONG**—To move, That this House strongly condemns the Government for rejecting the Ombudsman's recommendation contained in his report tabled in this House on 20 November 1986 that appropriate compensation be paid to remedy an injustice to certain complainants following the acquisition of their farming properties for the purpose of building the Blue Rock Dam, and calls on the Government immediately to remedy such injustice.
- †4 **THE HON. H. R. WARD**—To move, That the Government be condemned for its failure to accept the findings by the Ombudsman that an injustice had been done to two complainants, former employees of Victoria's 150th Anniversary Secretariat, and that such injustice was not remedied by compensation in line with that now approved for Crown appointees whose employment is terminated before the expiration of their agreed period of employment, and calls upon the Government to make appropriate payments to the complainants as recommended by the Ombudsman.
- 5 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 6 **THE HON. D. M. EVANS**—To move, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.
- 7 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 8 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- *9 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed.

† By order of the Council on 25 March these motions are to be moved seriatim and debated concurrently.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **GRAIN ELEVATORS BOARD REPORT, 1985-86**—To be considered.
- 4 **LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1985-86**—To be considered.
- 5 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 6 **ROAD SAFETY COMMITTEE**—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 7 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 8 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 9 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 47 to 51**—To be considered.
- 10 **BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1986**—To be considered.
- 11 **EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 16 FEBRUARY 1987 REGARDING RESUMPTION OF LAND AT HALLAM**—To be considered.
- 12 **INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1985-86**—To be considered.
- 13 **NATIONAL GALLERY OF VICTORIA COUNCIL REPORT, 1985-86**—To be considered.
- 14 **POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1985-86**—To be considered.
- 15 **ROAD SAFETY ACT 1986—ORDER IN COUNCIL OF 24 FEBRUARY 1987 SPECIFYING "DESIGNATED PLACES" FOR TAKING BLOOD SAMPLES FOLLOWING MOTOR VEHICLE ACCIDENTS**—To be considered.
- 16 **STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1985-86**—To be considered.
- 17 **PUBLIC RECORD OFFICE REPORT, 1985-86**—To be considered.
- 18 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 19 **COAL MINE WORKERS' PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1985-86**—To be considered.
- 20 **HOSPITALS SUPERANNUATION BOARD REPORT, 1985-86**—To be considered.
- 21 **METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1985-86**—To be considered.
- 22 **MOTOR ACCIDENTS BOARD REPORT, 1985-86**—To be considered.
- 23 **CARE AND USE OF ANIMALS FOR EXPERIMENTAL PURPOSES—CODE OF PRACTICE**—To be considered.

- 24 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1985-86—To be considered.
- 25 SUPERANNUATION BOARD REPORT, 1985-86—To be considered.
- *26 JUDICIAL SALARIES—REPORT OF INQUIRY AND RELATED MINISTERIAL STATEMENT—To be considered.
- *27 LIBRARY COUNCIL REPORT, 1985-86—To be considered.

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TUESDAY, 28 APRIL
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 VICTORIA GRANTS COMMISSION (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 **SPEECH OF HIS EXCELLENCY THE GOVERNOR**—Motion for Address-in-Reply—*Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- †3 **THE HON. R. J. LONG**—To move, That this House strongly condemns the Government for rejecting the Ombudsman's recommendation contained in his report tabled in this House on 20 November 1986 that appropriate compensation be paid to remedy an injustice to certain complainants following the acquisition of their farming properties for the purpose of building the Blue Rock Dam, and calls on the Government immediately to remedy such injustice.
- †4 **THE HON. H. R. WARD**—To move, That the Government be condemned for its failure to accept the findings by the Ombudsman that an injustice had been done to two complainants, former employees of Victoria's 150th Anniversary Secretariat, and that such injustice was not remedied by compensation in line with that now approved for Crown appointees whose employment is terminated before the expiration of their agreed period of employment, and calls upon the Government to make appropriate payments to the complainants as recommended by the Ombudsman.
- 5 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 6 **THE HON. D. M. EVANS**—To move, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.
- 7 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other

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support services which enhance the opportunities and options for participation in the wider community.

- 8 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 9 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed.
- *10 **THE HON. HADDON STOREY**—To move, That this House strongly condemns the Government for—
- (a) radically, continuously and erratically changing the government school system;
 - (b) handing over control of government schools to the teacher unions; and
 - (c) creating an environment in which increasing numbers of parents are opting to send their children to non-government schools—
- and calls upon the Government to take urgent steps to restore public confidence in the Government school system.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 4 **ROAD SAFETY COMMITTEE**—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 5 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 7 **ADMINISTRATIVE ARRANGEMENTS ORDERS Nos. 47 to 51**—To be considered.
- 8 **BORDER GROUNDWATERS AGREEMENT REVIEW COMMITTEE REPORT, PERIOD ENDED 30 JUNE 1986**—To be considered.
- 9 **EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 16 FEBRUARY 1987 REGARDING RESUMPTION OF LAND AT HALLAM**—To be considered.
- 10 **INSTITUTE OF EDUCATIONAL ADMINISTRATION REPORT, 1985-86**—To be considered.
- 11 **NATIONAL GALLERY OF VICTORIA COUNCIL REPORT, 1985-86**—To be considered.

- 12 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1985-86—To be considered.
- 13 ROAD SAFETY ACT 1986—ORDER IN COUNCIL OF 24 FEBRUARY 1987 SPECIFYING “DESIGNATED PLACES” FOR TAKING BLOOD SAMPLES FOLLOWING MOTOR VEHICLE ACCIDENTS—To be considered.
- 14 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1985-86—To be considered.
- 15 PUBLIC RECORD OFFICE REPORT, 1985-86—To be considered.
- 16 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 17 COAL MINE WORKERS’ PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1985-86—To be considered.
- 18 HOSPITALS SUPERANNUATION BOARD REPORT, 1985-86—To be considered.
- 19 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1985-86—To be considered.
- 20 MOTOR ACCIDENTS BOARD REPORT, 1985-86—To be considered.
- 21 CARE AND USE OF ANIMALS FOR EXPERIMENTAL PURPOSES—CODE OF PRACTICE—To be considered.
- 22 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1985-86—To be considered.
- 23 SUPERANNUATION BOARD REPORT, 1985-86—To be considered.
- 24 JUDICIAL SALARIES—REPORT OF INQUIRY AND RELATED MINISTERIAL STATEMENT—To be considered.
- 25 LIBRARY COUNCIL REPORT, 1985-86—To be considered.
- *26 DANDENONG VALLEY AUTHORITY REPORT, 1985-86—To be considered.
- *27 NATIONAL CRIME AUTHORITY REPORT, 1985-86—To be considered.
- *28 WURDEE BOLUC RESERVOIR—MINISTER’S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE’S RECOMMENDATIONS—To be considered.

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GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CO-OPERATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *2 EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *3 HEALTH (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading.
- *4 BUILDING CONTROL (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 5 NATIONAL PARKS (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Motion for second reading and reasoned amendment of the *Hon. D. M. Evans—Resumption of debate.* (*Hon. B. A. Murphy*).
- 6 ENVIRONMENT PROTECTION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).

- 7 FISHERIES (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 8 HEALTH SERVICES (CONCILIATION AND REVIEW) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. G. P. Connard).*
- *9 SHOP TRADING BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- *10 BUSINESS OF THE COUNCIL—STANDING ORDERS COMMITTEE'S REPORT—*To be considered.*
- 11 PLANNING AND ENVIRONMENT BILL—(*from Assembly—Hon. J. H. Kennan*)—*To be further considered in Committee.*
- 12 HUMAN TISSUE (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. K. I. M. Wright).*
- 13 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 14 CRIMES (FAMILY VIOLENCE) BILL —(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate (B. A. Chamberlain).*
- 15 COMPANIES AND SECURITIES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 16 DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 17 JURISDICTION OF COURTS (CROSS-VESTING) BILL—(*Hon. J. H. Kennan*)—*Second reading—Resumption of debate. (Hon. Haddon Storey).*
- 18 GAS AND FUEL CORPORATION (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Rosemary Varty).*
- 19 SALE OF GOODS (VIENNA CONVENTION) BILL—(*Hon. J. H. Kennan*)—*To be further considered in Committee.*

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TUESDAY, 28 APRIL

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 VICTORIA GRANTS COMMISSION (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. Macey).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

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Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

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No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 **SPEECH OF HIS EXCELLENCY THE GOVERNOR**—Motion for Address-in-Reply—*Resumption of debate. (Hon. B. A. Chamberlain).*

GOVERNMENT BUSINESS**ORDERS OF THE DAY**

- *1 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL**—*(from Assembly—Hon. D. R. White)*—Second reading.
- *2 **TAXATION (RECIPROCAL POWERS) BILL**—*(from Assembly—Hon. D. R. White)*—Second reading.
- *3 **NATIONAL PARKS (DANDENONG RANGES) BILL**—*(from Assembly—Hon. J. E. Kirner)*—Second reading.
- *4 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—*(from Assembly—Hon. D. R. White)*—Second reading.
- 5 **CO-OPERATION (AMENDMENT) BILL**—*(Hon. J. H. Kennan)*—Second reading.
- 6 **PLANNING AND ENVIRONMENT BILL**—*(from Assembly—Hon. J. H. Kennan)*—To be further considered in Committee.
- 7 **ENVIRONMENT PROTECTION (AMENDMENT) BILL**—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 8 **FISHERIES (AMENDMENT) BILL**—*(Hon. J. E. Kirner)*—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 9 **HEALTH SERVICES (CONCILIATION AND REVIEW) BILL**—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. G. P. Connard).*
- *10 **COAL MINES (AMENDMENT) BILL**—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- *11 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL**—*(from Assembly—Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 12 **NATIONAL PARKS (AMENDMENT) BILL**—*(from Assembly—Hon. J. E. Kirner)*—To be further considered in Committee.
- 13 **BUSINESS OF THE COUNCIL—STANDING ORDERS COMMITTEE'S REPORT**—To be considered.
- 14 **HUMAN TISSUE (AMENDMENT) BILL**—*(Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. K. I. M. Wright).*
- 15 **DE FACTO RELATIONSHIPS BILL**—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 16 **CRIMES (FAMILY VIOLENCE) BILL**—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (B. A. Chamberlain).*

* Indicates new entry.

- 17 COMPANIES AND SECURITIES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 18 DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 19 JURISDICTION OF COURTS (CROSS-VESTING) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 20 GAS AND FUEL CORPORATION (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. Rosemary Varty*).
- 21 SALE OF GOODS (VIENNA CONVENTION) BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- 22 SHOP TRADING BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. S. de Fegely*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. D. M. EVANS—To move, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.
- 5 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 6 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.

- 7 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed.
- *8 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
- Community Welfare Services (Special Remission) Regulations 1986 (S.R. No. 301/1986);
- Marine (Inspection Fees for “Hire and Drive Yourself” Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and
- Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986).

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 4 **ROAD SAFETY COMMITTEE**—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 5 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 6 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 7 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 8 **COAL MINE WORKERS’ PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1985-86**—To be considered.
- 9 **HOSPITALS SUPERANNUATION BOARD REPORT, 1985-86**—To be considered.
- 10 **METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1985-86**—To be considered.
- 11 **MOTOR ACCIDENTS BOARD REPORT, 1985-86**—To be considered.
- 12 **CARE AND USE OF ANIMALS FOR EXPERIMENTAL PURPOSES—CODE OF PRACTICE**—To be considered.
- 13 **STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1985-86**—To be considered.
- 14 **SUPERANNUATION BOARD REPORT, 1985-86**—To be considered.
- 15 **JUDICIAL SALARIES—REPORT OF INQUIRY AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 16 **LIBRARY COUNCIL REPORT, 1985-86**—To be considered.
- 17 **DANDENONG VALLEY AUTHORITY REPORT, 1985-86**—To be considered.
- 18 **NATIONAL CRIME AUTHORITY REPORT, 1985-86**—To be considered.

- 19 WURDEE BOLUC RESERVOIR—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- *20 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1985-86 AND RELATED MINISTERIAL STATEMENT—To be considered.
- *21 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).

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TUESDAY, 14 APRIL

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- §*1 SUPPLY (1987-88, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- §*2 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).

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WEDNESDAY, 15 APRIL

GENERAL BUSINESS

ORDERS OF THE DAY

- †*1 OMBUDSMAN'S REPORT—BLUE ROCK DAM—Motion condemning Government for rejecting Ombudsman's recommendation as to compensation for acquired properties and calling for injustice to be remedied—(*Hon. R. J. Long*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- †*2 OMBUDSMAN'S REPORT—150th ANNIVERSARY SECRETARIAT—Motion condemning Government for rejecting Ombudsman's finding as to compensation paid on termination of employment of certain employees and calling for payment of appropriate amounts—(*Hon. H. R. Ward*)—*Resumption of debate.* (*Hon. A. J. Hunt*).

* * * *

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 HEALTH (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).

§ Cognate Bills—To be debated concurrently pursuant to Order of the Council on 8 April 1987.

† Cognate subjects—To be debated concurrently pursuant to Order of the Council on 25 March 1987.

- 2 EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

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TUESDAY, 28 APRIL

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 VICTORIA GRANTS COMMISSION (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).
- 2 BUILDING CONTROL (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 9, 10 and 11

No. 9—Tuesday, 7 April 1987

- 1 The President took the Chair and read the Prayer.
- 2 **RETURN TO WRIT**—The President announced that, on 16 February last, he had issued a Writ for the election of a Member to serve for the Central Highlands Province in the place of the Honourable Frederick Sheppard Grimwade, A.O., resigned, and that such Writ had been returned to him and by the indorsement thereon it appeared that Marie Therese Tehan had been elected in pursuance thereof.
- 3 **DECLARATION OF ALLEGIANCE**—The Honourable Marie Therese Tehan, having been introduced, approached the Table and took and subscribed the Oath required by law.

The President attested the Roll.

- 4 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, on 31 March 1987, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Anzac Day (Amendment) Act.

Extractive Industries (Amendment) Act.

Judicial Salaries Act.

Racing (Amendment) Act.

- 5 **SHOP TRADING BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the regulation of shop trading, to make consequential amendments to certain Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **HEALTH (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Health Act 1958*, and other 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.
- 7 **CO-OPERATION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Co-operation Act 1981*, 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 **EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill relating to mediation centres, to amend the *Evidence 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 **BUILDING CONTROL (AMENDMENT) BILL**—On motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Building Control Act 1981* 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**—

STANDING ORDERS COMMITTEE—BUSINESS OF THE COUNCIL—The Honourable Haddon Storey (on behalf of the President, Chairman) presented a Report from the Standing Orders Committee upon certain business of the Council.

Ordered to lie on the Table and to be printed.

The Honourable Evan 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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PAPERS PURSUANT TO STATUTE—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 1985–86.

National Crime Authority—Report for the year 1985–86.

Parliamentary Committees Act 1968—Minister's response to recommendations in Natural Resources and Environment Committee's second report upon Augmentation of Geelong's Water Supply—Proposed Enlargement of Wurdee Boluc Reservoir.

Statutory Rules under the following Acts of Parliament:

Associations Incorporation Act 1981—No. 45.

Business Franchise (Tobacco) Act 1974—Business Franchise (Petroleum Products) Act 1979—No. 60.

Business Names Act 1962—No. 46.

Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981—No. 52.

Emergency Services Superannuation Act 1986—No. 61.

Fisheries Act 1968—Nos. 53 and 54.

Lotteries Gaming and Betting Act 1966—Nos. 55 to 57.

Magistrates' Courts Act 1971—Magistrates (Summary Proceedings) Act 1975—Nos. 62 and 63.

Marine Act 1958—Nos. 58 and 59.

Marketing of Primary Products Act 1958—Nos. 47 and 48.

Public Service Act 1974—PSD Nos. 9 to 11.

Road Safety Act 1986—No. 49.

Securities Industry (Application of Laws) Act 1981—No. 51.

Town and Country Planning Act 1961—

Bacchus Marsh Planning Scheme—Amendment No. 34.

Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 90.

Ballarat—Shire of Ballarat Planning Scheme—Amendment No. 18.

Bright—Shire of Bright Planning Scheme 1983—Amendment No. 4, 1986.

Bungaree—Shire of Bungaree Planning Scheme—Amendment No. 15, 1985.

Eaglehawk—Borough of Eaglehawk Planning Scheme—Amendment No. 4.

Echuca—City of Echuca Planning Scheme—Amendment No. 5.

Horsham—City of Horsham Planning Scheme 1982—Amendments Nos. 105 and 110.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 203 and 233.

Town and Country Planning Act 1961—*continued*

Maldon—Shire of Maldon Planning Scheme 1980—Amendment No. 2.

Melbourne Metropolitan Planning Scheme—Amendments No. 275, Part 3C; No. 320, Part 3 (with maps); No. 384, Part 1 (with maps); No. 385, Part 1 (with maps); No. 386, Part 1 (with maps); No. 427 (with map); No. 442 (with map); No. 448; and No. 449.

Morwell—Shire of Morwell Planning Scheme 1977—Amendment No. 30, 1985.

Pakenham—Shire of Pakenham Planning Scheme Part 1—Amendment No. 53.

Rosedale—Shire of Rosedale Planning Scheme—Amendment No. 54, 1986.

Sebastopol—Borough of Sebastopol Planning Scheme—Amendments Nos. 35 and 37.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules and Planning Schemes under the *Town and Country Planning Act 1961*, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for an Address-in-Reply to the Speech of His Excellency the Governor be postponed until later this day.

- 12 **SHOP TRADING BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable R. S. de Fegely 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 **PLANNING AND ENVIRONMENT BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to an Address to His Excellency the Governor in reply to His Excellency's Opening Speech (for Address see page 15 *ante*)—

Debate resumed.

The Honourable 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.

- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 5 inclusive, be postponed until later this day.

- 16 **HEALTH SERVICES (CONCILIATION AND REVIEW) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable G. P. Connard 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 **NATIONAL PARKS (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable 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 include amendments to section 18 of the Principal Act to provide that declaration of a Park under Schedule 3 of the Act shall be for the better management, on a multiple use basis, of areas of public land which contain within them certain areas, generally relatively small and/or dispersed, of specific interest and requiring special protection or treatment, the whole to be subject to a management plan.”

Debate ensued.

The Honourable B. A. Murphy 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.

- 18 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

WEDNESDAY, 8 APRIL 1987

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.20 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 10—Wednesday, 8 April 1987

- 1 The President took the Chair and read the Prayer.
- 2 **SUPPLY (1987-88, 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 recurrent services and for certain works and purposes for the financial year 1987-88*” and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, 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 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make ancillary provisions for certain works and purposes for the financial year 1987-88*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 PURSUANT TO STATUTE**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

National Companies and Securities Commission—Report and financial statements for the year 1985–86.

The Honourable J. H. Kennan made a Ministerial Statement in relation to the Report. The Honourable Haddon Storey (for the Honourable B. A. Chamberlain) moved, That the Report and related Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for an Address-in-Reply to the Speech of His Excellency the Governor and Notices of Motion, General Business, Nos. 1 to 9 inclusive, be postponed until later this day.

- 6 **GOVERNMENT SCHOOL SYSTEM**—The Honourable Haddon Storey moved, That this House strongly condemns the Government for—

- (a) radically, continuously and erratically changing the government school system;
- (b) handing over control of government schools to the teacher unions; and
- (c) creating an environment in which increasing numbers of parents are opting to send their children to non-government schools—

and calls upon the Government to take urgent steps to restore public confidence in the government school system.

Debate ensued.

The Honourable Evan 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.

- 7 **OMBUDSMAN'S REPORTS—BLUE ROCK DAM AND 150th ANNIVERSARY SECRETARIAT**—Pursuant to an Order of the Council on 25 March 1987 permitting Notices of Motion in relation to matters arising from these reports to be moved seriatim and for the debate to be taken concurrently—

The Honourable R. J. Long moved, That this House strongly condemns the Government for rejecting the Ombudsman's recommendation contained in his report tabled in this House on 20 November 1986 that appropriate compensation be paid to remedy an injustice to certain complainants following the acquisition of their farming properties for the purpose of building the Blue Rock Dam, and calls on the Government immediately to remedy such injustice.

The Honourable H. R. Ward moved, That the Government be condemned for its failure to accept the findings by the Ombudsman that an injustice had been done to two complainants, former employees of Victoria's 150th Anniversary Secretariat, and that such injustice was not remedied by compensation in line with that now approved for Crown appointees whose employment is terminated before the expiration of their agreed period of employment, and calls upon the Government to make appropriate payments to the complainants as recommended by the Ombudsman.

Debate ensued.

The Honourable 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 Wednesday next.

- 8 **COAL MINES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Coal Mines Act 1958’, to repeal the ‘State Coal Mines (Winding Up) Act 1968’ and the ‘State Coal Mine Industrial Tribunal Act 1932’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Port of Melbourne Authority Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business and Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.

- 11 **NATIONAL PARKS (AMENDMENT) BILL**—The Order of the Day having been read 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 Bill be withdrawn and re-drafted to include amendments to section 18 of the Principal Act to provide that declaration of a Park under Schedule 3 of the Act shall be for the better management, on a multiple use basis, of areas of public land which contain within them certain areas, generally relatively small and/or dispersed, of specific interest and requiring special protection or treatment, the whole to be subject to a management plan”—

Debate resumed.

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

The Council divided.

AYES, 35

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter (*Teller*)
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster (*Teller*)
 L. A. McArthur

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 D. R. White

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, 35

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative—Bill read a second time.

Ordered—That the Bill be committed to a Committee of the whole later this day.

- 12 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the Business Franchise Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

- 13 **TAXATION (RECIPROCAL POWERS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision for the reciprocal enforcement of taxation laws and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

- 14 **SUPPLY (1987–88, No. 1) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest 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 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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 Tuesday next.

- 16 **COGNATE BILLS**—The Honourable D. R. White moved, by leave, That this House authorizes and requires the Honourable the President to permit the second reading debate on the Supply (1987–88, No. 1) Bill and the Works and Services (Ancillary Provisions, No. 1) Bill to be taken concurrently upon the Order of the Day for the resumption of debate on either of them being read.

Question—put and resolved in the affirmative.

- 17 **COAL MINES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable 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.

- 18 **HEALTH (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable M. A. Birrell 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.

- 19 **EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan), moved, That this Bill be now read a second time.

The Honourable 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 Wednesday next.

- 20 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. Lawson), 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 **BUILDING CONTROL (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable 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 Tuesday, 28 April 1987.

- 22 **NATIONAL PARKS (AMENDMENT) BILL**—The Order of the Day having been read for the committal of this Bill, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 23 **NATIONAL PARKS (DANDENONG RANGES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'National Parks Act 1975' to provide for the Dandenong Ranges National Park and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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.

- 24 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for public holidays on 25 and 26 January 1988 and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

- 25 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

THURSDAY, 9 APRIL 1987

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.08 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 11—Thursday, 9 April 1987

- 1 The President took the Chair and read the Prayer.
- 2 **PAPER PURSUANT TO STATUTE**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:
Ombudsman—Report for the year 1985–86.
The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.
Question—put and resolved in the affirmative.
- 3 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for an Address-in-Reply to the Speech of His Excellency the Governor and Orders of the Day, Government Business, Nos. 1 to 5 inclusive, be postponed until later this day.
- 4 **PLANNING AND ENVIRONMENT BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honourable G. A. Sgro 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.
The Honourable J. H. Kennan moved, That the following consequential amendments be made to the Bill:
 1. Clause 2, line 7, omit “224” and insert “204”.
 2. Clause 3, page 3, lines 12 and 13, omit all words and expressions on these lines.
 3. Clause 4, line 17, omit “224” and insert “204”.
 4. Clause 6, page 4, in proposed new paragraph (k), omit “187” and insert “173”.
 5. Clause 17, line 23, omit “187” and insert “173”.
 6. Clause 23, line 23, omit “Part 9” and insert “Part 8”.
 7. Clause 34, line 29, omit “Part 9” and insert “Part 8”.
 8. Clause 67, line 16, omit “69” and insert “52”.
 9. Clause 69, page 22, line 6, omit “(1) (e)” and insert “(1) (d)”.
 10. Clause 70, line 19, omit “69 (1)” and insert “52 (1)”.

11. Clause 70, line 24, omit "69" and insert "52".
12. Clause 70, line 28, omit "69 (1)" and insert "52 (1)".
13. Clause 71, line 36, omit "96" and insert "79".
14. Clause 73, line 27, omit "76" and insert "59".
15. Clause 74, page 24, line 2, omit "81 (1) and 82 (1)" and insert "64 (1) and 65 (1)".
16. Clause 76, line 17, omit "69 (1)" and insert "52 (1)".
17. Clause 76, line 19, omit "72" and insert "55".
18. Clause 76, line 24, omit "73" and insert "56".
19. Clause 76, line 26, omit "69 (1)" and insert "52 (1)".
20. Clause 76, line 30, omit "73" and insert "56".
21. Clause 76, line 32, omit "69" and insert "52".
22. Clause 79, page 26, line 2, omit "Part 6" and insert "Part 5".
23. Clause 79, page 26, line 9, omit "187" and insert "173".
24. Clause 83, line 18, omit "81 or 82" and insert "64 or 65".
25. Clause 95, line 35, omit "69 (1) (e)" and insert "52 (1) (d)".
26. Clause 95, page 30, line 2, omit "71" and insert "54".
27. Clause 102, line 24, omit "69 (1) (e)" and insert "52 (1) (d)".
28. Clause 102, line 28, omit "71" and insert "54".
29. Clause 102, line 30, omit "64" and insert "47".
30. Clause 102, page 32, line 4, omit "96" and insert "79".
31. Clause 104, line 29, omit "69" and insert "52".
32. Clause 104, line 30, omit "72, 78 (2) or 79 (1)" and insert "55, 61 (2) or 62 (1)".
33. Clause 104, line 39, omit "106" and insert "89".
34. Clause 106, in proposed new sub-section (4), omit "104" and insert "87".
35. Clause 107, line 40, omit "104" and insert "87".
36. Clause 108, line 10, omit "106" and insert "89".
37. Clause 108, line 12, omit "106 (1) (a)" and insert "89 (1) (a)".
38. Clause 108, line 17, omit "or" and insert "and".
39. Clause 108, line 18, omit "106 (1) (b)" and insert "89 (1) (b)".
40. Clause 109, line 25, omit "107" and insert "90".
41. Clause 111, line 3, omit "110" and insert "93".
42. Clause 111, line 4, omit "110" and insert "93".
43. Clause 111, line 31, omit "104 (2)" and insert "87 (2)".
44. Clause 113, page 37, line 14, omit "96" and insert "79".
45. Clause 114, line 30, omit "16" and insert "19".
46. Clause 114, line 31, omit "129" and insert "113".
47. Clause 115, line 14, omit "114 (1) (a), (b) or (c)" and insert "98 (1) (a), (b) or (c)".
48. Clause 115, line 23, omit "96" and insert "79".
49. Clause 115, line 29, omit "114 (1) (a), (b) or (c)" and insert "98 (1) (a), (b) or (c)".
50. Clause 115, line 30, omit "122" and insert "106".
51. Clause 115, line 31, omit "(e) or (f)".
52. Clause 115, line 34, omit "114 (2)" and insert "98 (2)".
53. Clause 116, line 36, omit "114" and insert "98".
54. Clause 116, line 40, omit "114" and insert "98".
55. Clause 117, line 16, omit "114" and insert "98".
56. Clause 119, line 34, omit "114 (1) or (2) or 123" and insert "98 (1) or (2) or 107".
57. Clause 120, line 36, omit "114" and insert "98".

58. Clause 120, page 40, line 3, omit "114 (1) or (2) or 123" and insert "98 (1) or (2) or 107".
59. Clause 122, line 11, omit "114" and insert "98".
60. Clause 123, line 34, omit "129" and insert "113".
61. Clause 124, line 13, omit "129" and insert "113".
62. Clause 127, line 31, omit "126 (1)" and insert "110 (1)".
63. Clause 127, line 37, omit "129" and insert "113".
64. Clause 128, line 13, omit "126 (1)" and insert "110 (1)".
65. Proposed new section AA (1), omit "187" and insert "173".
66. Proposed new section BB (1), omit "130" and insert "114".
67. Proposed new section CC (1) (a), omit "135" and insert "119".
68. Proposed new section DD (2) (a), omit "135" and insert "119".
69. Proposed new section FF (b) (iv) (B), omit "187" and insert "173".
70. Proposed new section GG (1), omit "section 130 for" and insert "section 114 for".
71. Proposed new section GG (1), omit "section 130 was" and insert "section 114 was".
72. Proposed new section GG (10), omit "(8)" and insert "(9)".
73. Clause 138, sub-clause (4) (a), omit proposed reference to "sections 130 to 136" and insert "sections 114 to 120".
74. Clause 138, sub-clause (4) (b), omit proposed reference to "section 132, 133 or 136" and insert "section 116, 117 or 120".
75. Clause 138, line 39, omit "187" and insert "173".
76. Clause 142, line 27, omit "187" and insert "173".
77. Clause 142, line 30, omit "187" and insert "173".
78. Clause 142, line 32, omit "187" and insert "173".
79. Clause 142, line 36, omit "187" and insert "173".
80. Clause 142, line 38, omit "187" and insert "173".
81. Clause 149, line 9, omit "187" and insert "173".
82. Clause 151, line 26, omit "187" and insert "173".
83. Clause 152, line 33, omit "149" and insert "133".
84. Clause 158, line 5, omit "187" and insert "173".
85. Clause 158, line 10, omit "187" and insert "173".
86. Clause 164, page 57, line 1, omit "Part 5" and insert "Part 4".
87. Clause 164, page 57, line 2, omit proposed reference to "Part 10" and insert "Part 9".
88. Clause 166, line 23, omit "165" and insert "151".
89. Clause 174, page 59, line 2, omit "183" and insert "169".
90. Clause 187, line 13, omit "195" and insert "181".
91. Clause 207, line 27, omit "186" and insert "172".
92. Clause 209, page 68, line 7, omit "212" and insert "191".
93. Clause 209, page 68, lines 8 and 9, omit "141, 185 (2) (a), (b), (c), (d) and (e), 186, 187, 192 and 212" and insert "125, 171 (2) (a), (b), (c), (d) and (e), 172, 173, 178, and 191".
94. Clause 210, line 20, omit "Part 5" and insert "Part 4".
95. Clause 221, line 31, omit "218" and insert "198".
96. Clause 221, page 71, line 5, omit "220" and insert "200".
97. Clause 224, line 38, omit "125" and insert "131".
98. Clause 227, line 18, omit "125" and insert "131".
99. Clause 227, line 28, omit "224" and insert "204".
100. Clause 227, line 28, omit "125" and insert "131".
101. Clause 227, line 30, omit "125" and insert "131".

102. Clause 227, line 33, omit "224" and insert "204".
103. Clause 228, line 21, omit "125" and insert "131".
104. Clause 228, line 26, omit "125" and insert "131".
105. Clause 228, line 33, omit "86" and insert "69".
106. Clause 228, line 38, omit "125" and insert "131".
107. Clause 228, page 75, line 1, omit "125" and insert "131".
108. Proposed new section M, in sub-clause (1) omit "125" and insert "131".
109. Proposed new section M, in sub-clause (2) omit "Part 5" and insert "Part 4".
110. Clause 230, line 17, omit "125" and insert "131".
111. Clause 230, line 19, omit "125" and insert "131".
112. Schedule, page 76, item 2, in proposed section 5 (1) (a) (i), omit "125" and insert "131".
113. Schedule, page 77, item 2, in paragraph (d), omit "112" and insert "96".
114. Schedule, page 89, item 'A', in proposed section 5 (5), omit "186 (2)" and insert "172 (2)".
115. Schedule, page 89, item 41, omit "Part 6" and insert "Part 5".
116. Schedule, page 89, item 51, in proposed section 28 (2), omit "Part 9" and insert "Part 8".
117. Schedule, page 90, item 52, in proposed section 32 (8), omit "Part 9" and insert "Part 8".
118. Schedule, page 93, item 77, in proposed section 861A (6), omit "220 and 221" and insert "200 and 201".
119. Schedule, page 94, item 77, in proposed section 28 (4), omit "218 (1)" and insert "198 (1)".
120. Schedule, page 94, item 81, in proposed paragraph (d), omit "146" and insert "130".
121. Schedule, page 99, item 102, in paragraph (e), omit "187" and insert "173".
122. Schedule, page 99, item 103, in paragraph (c) (ii), omit "74 (3)" and insert "57 (4)".
123. Schedule, page 99, item 104, in paragraph (a), omit "69" and insert "52".
124. Schedule, page 99, item 105, in paragraph (a), omit "107" and insert "84".
125. Schedule, page 100, item 106, in paragraph (c), omit "113" and insert "97".
126. Schedule, page 100, item 110, omit "69" and insert "52".
127. Schedule, page 102, item 115, in paragraph (a), omit "125" and insert "131".
128. Schedule, page 102, item 115, after paragraph (b) insert—
'(c) in paragraph (a) for "157" substitute "141"; and
(d) in paragraph (d) for "150" substitute "134".'
129. Schedule, page 104, item 129, in paragraph (a), omit "150" and insert "134".
130. Schedule, page 105, item 138, in paragraph (e), omit "Part 9" and insert "Part 8".

Question—put and resolved in the affirmative.

Bill 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 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable 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.

- 6 **CO-OPERATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 to 20 inclusive, be postponed until later this day.

- 8 **SALE OF GOODS (VIENNA CONVENTION) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Sandon 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 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **TAXATION (RECIPROCAL POWERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **COMPANIES AND SECURITIES LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 12 **NATIONAL PARKS (DANDENONG RANGES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. S. de Fegely) 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 ADJOURNMENT—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.22 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

ORDER OF THE DAY *(to take precedence)*

- 1 SPEECH OF HIS EXCELLENCY THE GOVERNOR—Motion for Address-in-Reply—*Resumption of debate. (Hon. B. A. Chamberlain).*

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. EVAN WALKER—To move, That Standing Order No. 86 be repealed and that the following be adopted as a Standing Order of the Council in its stead:

86. Precedence shall be given to—

- (a) a motion for a vote of thanks of the Council;
- (b) a motion for leave of absence to a Member;
- (c) a motion touching the qualification of a Member;
- (d) a motion to disallow, revoke or otherwise void any proposal, Statutory Rule or other instrument which by any Act is expressed as being subject to such a resolution of the Council or of the Council and the Assembly; and
- (e) an Order of the Day for the consideration of a report of the Standing Orders Committee or, arising from any such report, a motion to vary or adopt Standing Orders of the Council:

Provided that any such business shall be taken according to its sequence in this Standing Order.

ORDERS OF THE DAY

- 1 NATIONAL PARKS (AMENDMENT) BILL—*(from Assembly—Hon. J. E. Kirner)—To be further considered in Committee.*
- 2 HEALTH SERVICES (CONCILIATION AND REVIEW) BILL—*(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. G. P. Connard).*
- 3 ENVIRONMENT PROTECTION (AMENDMENT) BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).*
- 4 FISHERIES (AMENDMENT) BILL—*(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).*
- 5 HUMAN TISSUE (AMENDMENT) BILL—*(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. K. I. M. Wright).*
- 6 DE FACTO RELATIONSHIPS BILL—*(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 CRIMES (FAMILY VIOLENCE) BILL —*(Hon. J. H. Kennan)—Second reading—Resumption of debate (B. A. Chamberlain).*

* Indicates new entry.

- 8 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 9 **JURISDICTION OF COURTS (CROSS-VESTING) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 10 **GAS AND FUEL CORPORATION (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. Rosemary Varty*).
- 11 **SHOP TRADING BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- §12 **SUPPLY (1987-88, No. 1) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- §13 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).
- 14 **COAL MINES (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 15 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. R. Lawson*).
- 16 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 17 **TAXATION (RECIPROCAL POWERS) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 18 **NATIONAL PARKS (DANDENONG RANGES) BILL**—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. R. S. de Fegely*).
- 19 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 20 **CO-OPERATION (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 21 **BUSINESS OF THE COUNCIL—STANDING ORDERS COMMITTEES REPORT**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. D. M. EVANS—To move, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.
- 5 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 6 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 7 THE HON. HADDON STOREY—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed.
- 8 THE HON. HADDON STOREY—To move, That the following Statutory Rules be disallowed:
- Community Welfare Services (Special Remission) Regulations 1986 (S.R. No. 301/1986);
- Marine (Inspection Fees for "Hire and Drive Yourself" Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and
- Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986).
- *9 THE HON. J. V. C. GUEST—To move, That the following Sessional Order be agreed to by the Council:
- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the

allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

- (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing
 - Public Works
 - Property and Services.
 - (e) The Standing Committee on Primary Industry and Resources:
 - Agriculture and Rural Affairs
 - Conservation, Forests and Lands
 - Water Resources.
 - (f) The Standing Committee on Health and Welfare:
 - Aboriginal Affairs
 - Health
 - Community Services
 - Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
 - (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
 - 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
 - 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
 - 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.

- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8
 - (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
 - (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9
 - (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
 - (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
 - (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.

- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigative Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
 - (h) in the preparation and presentation of its report shall make such

- provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—
- and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—
- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
 - (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
 - (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.
- 14 In considering any Bill or matter referred to it under paragraph 12—
- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
 - (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise

be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

*10 **THE HON. J. V. C. GUEST**—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

***11 THE HON. J. V. C. GUEST—To move, That until the end of the Session—**

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.

- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. J. H. Kennan).*
- 2 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 4 ROAD SAFETY COMMITTEE—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 5 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 6 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 7 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 8 COAL MINE WORKERS' PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1985-86—To be considered.
- 9 HOSPITALS SUPERANNUATION BOARD REPORT, 1985-86—To be considered.
- 10 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1985-86—To be considered.
- 11 MOTOR ACCIDENTS BOARD REPORT, 1985-86—To be considered.
- 12 CARE AND USE OF ANIMALS FOR EXPERIMENTAL PURPOSES—CODE OF PRACTICE—To be considered.
- 13 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1985-86—To be considered.
- 14 SUPERANNUATION BOARD REPORT, 1985-86—To be considered.

- 15 JUDICIAL SALARIES—REPORT OF INQUIRY AND RELATED MINISTERIAL STATEMENT—To be considered.
- 16 LIBRARY COUNCIL REPORT, 1985–86—To be considered.
- 17 DANDENONG VALLEY AUTHORITY REPORT, 1985–86—To be considered.
- 18 NATIONAL CRIME AUTHORITY REPORT, 1985–86—To be considered.
- 19 WURDEE BOLUC RESERVOIR—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- 20 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1985–86 AND RELATED MINISTERIAL STATEMENT—To be considered.
- 21 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- *22 OMBUDSMAN'S REPORT, 1985–86—To be considered.

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WEDNESDAY, 15 APRIL

GENERAL BUSINESS

ORDERS OF THE DAY

- †1 OMBUDSMAN'S REPORT—BLUE ROCK DAM—Motion condemning Government for rejecting Ombudsman's recommendation as to compensation for acquired properties and calling for injustice to be remedied—(Hon. R. J. Long)—*Resumption of debate.* (Hon. A. J. Hunt).
- †2 OMBUDSMAN'S REPORT—150th ANNIVERSARY SECRETARIAT—Motion condemning Government for rejecting Ombudsman's finding as to compensation paid on termination of employment of certain employees and calling for payment of appropriate amounts—(Hon. H. R. Ward)—*Resumption of debate.* (Hon. A. J. Hunt).

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 HEALTH (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 2 EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).

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TUESDAY, 28 APRIL

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 VICTORIA GRANTS COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. Macey).

† Cognate subjects—To be debated concurrently pursuant to Order of the Council on 25 March 1987.

- 2 **BUILDING CONTROL (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Cocksedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed. [*Notice given 25 March 1987; 7 sitting days remain for resolving***]
- 2 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
 - Community Welfare Services (Special Remission) Regulations 1986 (S.R. No. 301/1986);
 - Marine (Inspection Fees for "Hire and Drive Yourself" Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and
 - Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986). [*Notice given 8 April 1987; 9 sitting days remain for resolving***]

** *Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

ORDERS OF THE DAY

- 1 **SPEECH OF HIS EXCELLENCY THE GOVERNOR**—Motion for Address-in-Reply—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 2 **BUSINESS OF THE COUNCIL—STANDING ORDERS COMMITTEE'S REPORT**—To be considered.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

- 4 **THE HON. D. M. EVANS**—To move, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.
- 5 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 6 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 7 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services

Consumer Affairs.

(d) The Standing Committee on the Environment and Transport:

Planning and Environment

Transport

Housing

Public Works

Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs

Conservation, Forests and Lands

Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs

Health

Community Services

Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing

Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.

- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.

10 In addition to its power and duty to consider any matter referred to it on motion by the Council—

- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
- (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.

11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.

12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three

other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee

considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;

- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.

- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

8 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
 - (3) The quorum of the Committee shall be three.
 - (4) The Staffing and Appropriations Committee:
 - (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

9 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.

- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—
Second reading—*Resumption of debate.* (*Hon. J. H. Kennan*).
- 2 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.

- 3 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 4 ROAD SAFETY COMMITTEE—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 5 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 7 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 8 JUDICIAL SALARIES—REPORT OF INQUIRY AND RELATED MINISTERIAL STATEMENT—To be considered.
- 9 LIBRARY COUNCIL REPORT, 1985–86—To be considered.
- 10 DANDENONG VALLEY AUTHORITY REPORT, 1985–86—To be considered.
- 11 NATIONAL CRIME AUTHORITY REPORT, 1985–86—To be considered.
- 12 WURDEE BOLUC RESERVOIR—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- 13 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1985–86 AND RELATED MINISTERIAL STATEMENT—To be considered.
- 14 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 15 OMBUDSMAN'S REPORT, 1985–86—To be considered.
- †16 OMBUDSMAN'S REPORT—BLUE ROCK DAM—Motion condemning Government for rejecting Ombudsman's recommendation as to compensation for acquired properties and calling for injustice to be remedied—(*Hon. R. J. Long*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- †17 OMBUDSMAN'S REPORT—150th ANNIVERSARY SECRETARIAT—Motion condemning Government for rejecting Ombudsman's finding as to compensation paid on termination of employment of certain employees and calling for payment of appropriate amounts—(*Hon. H. R. Ward*)—*Resumption of debate.* (*Hon. A. J. Hunt*).
- *18 PETITION—ST. KILDA AND PORT MELBOURNE RAIL LINES—To be considered.
- *19 INSTITUTE OF SECONDARY EDUCATION REPORT, 1985—To be considered.
- *20 LOCAL AUTHORITIES SUPERANNUATION BOARD CONTRACTS ACCOUNT AND PENSIONS FUNDS—EIGHTH ACTUARIAL REPORT AS AT 28 FEBRUARY 1985—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 EDUCATION ACTS (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading.

† Cognate subjects—To be debated concurrently pursuant to Order of the Council on 25 March 1987.

* Indicates new entry.

- *2 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading.
- *3 CRIMES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- *4 CHATTEL SECURITIES BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 5 HEALTH (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 6 EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 HEALTH SERVICES (CONCILIATION AND REVIEW) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. G. P. Connard).*
- 8 FISHERIES (AMENDMENT) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 9 HUMAN TISSUE (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. K. I. M. Wright).*
- 10 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 11 CRIMES (FAMILY VIOLENCE) BILL —(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate (W. R. Baxter).*
- *12 LAND (MISCELLANEOUS MATTERS) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 13 DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 14 GAS AND FUEL CORPORATION (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Rosemary Varty).*
- 15 SHOP TRADING BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- §16 SUPPLY (1987-88, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- §17 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 18 PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- 19 BUSINESS FRANCHISE ACTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 20 TAXATION (RECIPROCAL POWERS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 21 PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL—(*from Assembly—Hon. D. R. White*)—To be further considered in Committee.
- 22 CO-OPERATION (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

TUESDAY, 28 APRIL
GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **VICTORIA GRANTS COMMISSION (AMENDMENT) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).
- 2 **BUILDING CONTROL (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. HADDON STOREY—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed. [*Notice given 25 March 1987; 6 sitting days remain for resolving***]
- 2 THE HON. HADDON STOREY—To move, That the following Statutory Rules be disallowed:
 - Community Welfare Services (Special Remission) Regulations 1986 (S.R. No. 301/1986);
 - Marine (Inspection Fees for “Hire and Drive Yourself” Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and
 - Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986). [*Notice given 8 April 1987; 8 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

ORDER OF THE DAY

- 1 SPEECH OF HIS EXCELLENCY THE GOVERNOR—Motion for Address-in-Reply—*Resumption of debate. (Hon. B. A. Chamberlain).*

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. EVAN WALKER—To move, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of May and that until the end of May, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of General business.

ORDERS OF THE DAY

- *1 AGRICULTURAL ACTS (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading.
- *2 HOUSING (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 3 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading.
- 4 SHOP TRADING BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 5 HEALTH (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*

* Indicates new entry.

- 6 **HEALTH SERVICES (CONCILIATION AND REVIEW) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. G. P. Connard).
- 7 **HUMAN TISSUE (AMENDMENT) BILL**—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. K. I. M. Wright).
- 8 **LAND (MISCELLANEOUS MATTERS) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 9 **GAS AND FUEL CORPORATION (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 10 **EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 11 **DE FACTO RELATIONSHIPS BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- §12 **SUPPLY (1987-88, No. 1) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- §13 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- *14 **INDUSTRIAL RELATIONS (MISCELLANEOUS AMENDMENTS) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- *15 **ANIMAL PREPARATIONS BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 16 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 17 **FISHERIES (AMENDMENT) BILL**—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 18 **CRIMES (FAMILY VIOLENCE) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. W. R. Baxter).
- 19 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL**—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 20 **TAXATION (RECIPROCAL POWERS) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 21 **CO-OPERATION (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 22 **EDUCATION ACTS (AMENDMENT) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 23 **CRIMES (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 24 **CHATTEL SECURITIES BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading.

GENERAL BUSINESS**NOTICES OF MOTION**

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget

Industry, Technology and Resources.

(b) The Standing Committee on Education and Employment:

Education

Labour

Arts

Sport and Recreation.

(c) The Standing Committee on Law and Local Government:

Law

Local Government

Police and Emergency Services

Consumer Affairs.

(d) The Standing Committee on the Environment and Transport:

Planning and Environment

Transport

Housing

Public Works

Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs

Conservation, Forests and Lands

Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs

Health

Community Services

Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of

- proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
- (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from

one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.

12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall

- remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.
- 14 In considering any Bill or matter referred to it under paragraph 12—
- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the

Parliament, whether such Bills or Acts, by express words or otherwise—

- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.
- (4) The Staffing and Appropriations Committee:
- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.

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- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
 - (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
 - (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
 - (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
 - (g) Three members of the Committee shall constitute a quorum.
 - (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
 - (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
 - (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
 - (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
 - (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
 - (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
 - (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
 - (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
 - (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.

- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 2 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 4 ROAD SAFETY COMMITTEE—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 5 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 6 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 7 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 8 DANDENONG VALLEY AUTHORITY REPORT, 1985-86—To be considered.
- 9 NATIONAL CRIME AUTHORITY REPORT, 1985-86—To be considered.
- 10 WURDEE BOLUC RESERVOIR—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- 11 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1985-86 AND RELATED MINISTERIAL STATEMENT—To be considered.
- 12 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 13 OMBUDSMAN'S REPORT, 1985-86—To be considered.
- †14 OMBUDSMAN'S REPORT—BLUE ROCK DAM—Motion condemning Government for rejecting Ombudsman's recommendation as to compensation for acquired properties and calling for injustice to be remedied—(*Hon. R. J. Long*)—*Resumption of debate. (Hon. A. J. Hunt).*
- †15 OMBUDSMAN'S REPORT—150th ANNIVERSARY SECRETARIAT—Motion condemning Government for rejecting Ombudsman's finding as to compensation paid on termination of employment of certain employees and calling for payment of appropriate amounts—(*Hon. H. R. Ward*)—*Resumption of debate. (Hon. A. J. Hunt).*

† Cognate subjects—To be debated concurrently pursuant to Order of the Council on 25 March 1987.

- 16 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 17 INSTITUTE OF SECONDARY EDUCATION REPORT, 1985—To be considered.
- 18 LOCAL AUTHORITIES SUPERANNUATION BOARD CONTRACTS ACCOUNT AND PENSIONS FUNDS—EIGHTH ACTUARIAL REPORT AS AT 28 FEBRUARY 1985—To be considered.
- *19 TEACHER HOUSING—Motion recognising importance to rural teaching staff and expressing alarm of policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).

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TUESDAY, 28 APRIL

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 VICTORIA GRANTS COMMISSION (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).
- 2 BUILDING CONTROL (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS**Nos. 12, 13 and 14****No. 12—Tuesday, 14 April 1987**

- 1 The President took the Chair and read the Prayer.
- 2 **LAND (MISCELLANEOUS MATTERS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the permanent reservations of certain land, to repeal the 'Port Fairy Land Act 1981' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable J. E. Kirner, 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—ST. KILDA AND PORT MELBOURNE RAIL LINES**—The Honorable R. Macey presented a Petition from certain citizens of Victoria praying that the Government cease further work on the conversion of the St. Kilda and Port Melbourne rail lines for light rail vehicles, and that planning be directed towards the improvement of rail services from those lines into Flinders Street Station.
Ordered to lie on the Table.
The Honourable R. Macey moved, That the Petition be taken into consideration on the next day of meeting.
Question—put and resolved in the affirmative.
- 4 **CRIMES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Crimes 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.
- 5 **LORD MAYOR'S COMMUNITY AID BILL**—On the motion (by leave without notice) of the Honourable Evan Walker (for the Honourable D. R. White), leave was given to bring in a Bill to provide for the establishment and operation of the Lord Mayor's Community Aid Fund and to repeal the *Lord Mayor's Fund Act 1930*, 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 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
 - Institute of Secondary Education—Report for the year 1985.
 - Local Authorities Superannuation Board Contracts Account and Pensions Funds—Eighth actuarial report as at 28 February 1985.
 - Statutory Rules under the following Acts of Parliament:
 - Associations Incorporation Act 1981—No. 64.
 - Fisheries Act 1968—Nos. 65 and 71.
 - Local Authorities Superannuation Act 1958—No. 68.
 - Motor Car Traders Act 1973—No. 66.
 - Superannuation Act 1975—No. 70.

The Honourable Haddon Storey 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.

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day for the resumption of the debate on the motion for an Address-in-Reply to the Speech of His Excellency the Governor and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.
- 8 **ENVIRONMENT PROTECTION (AMENDMENT) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
The Honourable J. H. Kennan moved, That the said Order be discharged.
Debate ensued.
Question—put and resolved in the affirmative.
Ordered—That the Bill be withdrawn.
- 9 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 8 inclusive, be postponed until later this day.
- 10 **JURISDICTION OF COURTS (CROSS-VESTING) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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, by leave, 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.
- 11 **CRIMES (FAMILY VIOLENCE) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.
The Honourable 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.
- 12 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 10 to 13 inclusive, be postponed until later this day.
- 13 **COAL MINES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
Bill read a second time and, by leave, 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 **LAND (MISCELLANEOUS MATTERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.
The Honourable H. R. Ward (for the Honourable R. S. de Fegely) 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 **BUSINESS OF THE COUNCIL**—The Honourable Evan Walker moved, That Standing Order No. 86 be repealed and that the following be adopted as a Standing Order of the Council in its stead:

86. Precedence shall be given to—

- (a) a motion for a vote of thanks of the Council;
- (b) a motion for leave of absence to a Member;
- (c) a motion touching the qualification of a Member;
- (d) a motion to disallow, revoke or otherwise void any proposal, Statutory Rule or other instrument which by any Act is expressed as being subject to such a resolution of the Council or of the Council and the Assembly; and
- (e) an Order of the Day for the consideration of a report of the Standing Orders Committee or, arising from any such report, a motion to vary or adopt Standing Orders of the Council:

Provided that any such business shall be taken according to its sequence in this Standing Order.

Debate ensued.

Question—put and resolved in the affirmative.

16 **BUSINESS POSTPONED—Ordered—**That the consideration of Orders of the Day, Government Business, Nos. 15 to 18 inclusive, be postponed until later this day.

17 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL—**The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

18 **PLANNING APPEALS (AMENDMENT) BILL—**The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made in this Bill by the Council.

19 **NATIONAL PARKS (DANDENONG RANGES) BILL—**The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **NATIONAL PARKS (AMENDMENT) BILL—**The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 21 **CHATTEL SECURITIES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act relating to chattel securities, to repeal the ‘Chattel Securities Act 1981’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **EDUCATION ACTS (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 the ‘Teaching Service Act 1981’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.24 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 13—Wednesday, 15 April 1987

- 1 The President took the Chair and read the Prayer.

- 2 **INDUSTRIAL RELATIONS (MISCELLANEOUS AMENDMENTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Industrial Relations Act 1979’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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—LALOR DISTRICT COMMUNITY HEALTH CENTRE**—The Honourable G. A. Sgro presented a Petition from certain citizens of Victoria praying that the position of Italian Ethnic Health Worker at the Lalor District Health Centre be reinstated.

Ordered to lie on the Table.

- 4 **PAPERS PURSUANT TO STATUTE**—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:

Crimes Act 1958—No. 75.

Food Act 1984—No. 67.

Motor Boating Act 1961—No. 69.

Supreme Court Act 1986—Nos. 72 to 74.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 386, Part 2 (with map); and No. 387, Part 1A (with map).

5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion and Order of the Day, Business to take Precedence, No. 1, be postponed until later this day.

6 **STANDING ORDER COMMITTEE'S REPORT—ORDER DISCHARGED**—The Order of the Day having been read for the consideration of the Standing Orders Committee's Report upon certain business of the Council, the Honourable Evan Walker moved, That this Order of the Day be discharged.

Question—put and resolved in the affirmative.

7 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, General Business, be postponed until later this day.

8 **POLICE (POWERS OF INVESTIGATION) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable 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 **TEACHER HOUSING**—The Honourable D. M. Evans moved, That this House recognizes the vital importance of suitable accommodation in the attraction and retention of teaching staff in rural schools, and expresses alarm at the Government's policy to sell off teacher housing, despite widespread opposition being voiced by school communities throughout rural Victoria.

Debate ensued.

The Honourable D. E. Henshaw (for the Honourable M. J. Sandon) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until later this day.

11 **ANIMAL PREPARATIONS 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 registration of animal preparations and the regulation of their sale and use, to repeal the 'Stock Foods Act 1958', the 'Stock Medicines Act 1958' and the 'Sheep Branding Fluids Act 1963', to amend the 'Agricultural Chemicals Act 1958' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

12 **AGRICULTURAL ACTS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Marketing of Primary Products Act 1958', the 'Tobacco Leaf Industry Stabilization Act 1966', the 'Wheat Marketing Act 1984', the 'Swine Compensation Act 1967' and*

the 'Broiler Chicken Industry Act 1978' and for other purposes" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

- 13 **HOUSING (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Housing Act 1983' and for other purposes"* and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), 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.

- 14 **EDUCATION ACTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain (for the Honourable 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 **INDUSTRIAL RELATIONS (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable Rosemary Varty 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 17 **CRIMES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, that this Bill be now read a second time.

The Honourable N. B. Reid (for the Honourable 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.

- 18 **ANIMAL PREPARATIONS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable N. B. Reid (for the Honourable R. I. Knowles) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 17, inclusive be postponed until later this day.

- 20 **PORT OF MELBOURNE AUTHORITY (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 15

The Hon. Joan Coxsedge
G. R. Crawford
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
M. A. Lyster
L. A. McArthur
J. McLean (*Teller*)
B. W. Mier (*Teller*)
B. A. Murphy
B. T. Pullen
M. J. Sandon
G. A. Sgro
Evan Walker

NOES, 17

The Hon. M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
R. M. Hallam (*Teller*)
A. J. Hunt (*Teller*)
R. I. Knowles
R. Lawson
R. J. Long
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

- 21 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 19 and 20, be postponed until later this day.
- 22 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright 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.

- 23 **SUPPLY (1987–88, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time (the Works and Services (Ancillary Provisions, No. 1) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 8 April 1987)—

Debate resumed.

The Honourable D. E. Henshaw 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.

- 24 **ADJOURNMENT**—The Honourable C. J. Hogg moved, That the House do now adjourn.
Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.57 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 14—Thursday, 16 April 1987

- 1 The President took the Chair and read the Prayer.
- 2 **POST-SECONDARY EDUCATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Post-Secondary Education Act 1978’ to constitute the Victorian Post-Secondary Education Accreditation Board and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **WATER ACTS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Water Act 1958’ to provide for temporary transfers of water rights, to postpone the expiry of the ‘Water and Sewerage Authorities (Restructuring) Act 1983’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 POSTPONED**—Ordered—That the consideration of the Notices of Motion, Business to take Precedence, be postponed until later this day.
- 5 **ADDRESS-IN-REPLY TO SPEECH OF HIS EXCELLENCY THE GOVERNOR**—The Order of the Day having been read for the resumption of the debate on the question, 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—

Question—put and resolved in the affirmative.

The Honourable Evan Walker 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.

- 6 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notice of Motion and Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 7 **SHOP TRADING BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable L. A. McArthur 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 **PAPER—RURAL ECONOMICS STUDY**—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of the Victorian Government's response to the Lloyd Rural Economics Study.

Question—put and resolved in the affirmative.

The said paper was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Evan Walker made a Ministerial Statement in relation to the response.

The Honourable R. I. Knowles moved, That the response and Ministerial Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 9 **SHOP TRADING BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **HOUSING (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable J. G. Miles 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 **AGRICULTURAL ACTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan (for the Honourable Evan Walker) moved, That this Bill be now read a second time.

The Honourable R. I. Knowles 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 **POST-SECONDARY EDUCATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, The Honourable J. H. Kennan (for the Honourable Evan Walker) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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.

- 13 **LORD MAYOR'S COMMUNITY AID BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable 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.

- 14 **WATER ACTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable 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.

- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 5, be postponed until later this day.

- 16 **HEALTH SERVICES (CONCILIATION AND REVIEW) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 17 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 28 April 1987.

Question—put and resolved in the affirmative.

And then the Council, at 4.53 p.m., adjourned until Tuesday, 28 April 1987.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 **THE HON. HADDON STOREY**—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed. [*Notice given 25 March 1987; 5 sitting days remain for resolving***]
- 2 **THE HON. HADDON STOREY**—To move, That the following Statutory Rules be disallowed:
 - Community Welfare Services (Special Remission) Regulations 1986 (S.R. No. 301/1986);
 - Marine (Inspection Fees for “Hire and Drive Yourself” Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and
 - Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986). [*Notice given 8 April 1987; 7 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

NOTICE OF MOTION

- 1 **THE HON. EVAN WALKER**—To move, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of May and that until the end of May, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of General business.

ORDERS OF THE DAY

- 1 **AGRICULTURAL ACTS (AMENDMENT) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- 2 **ANIMAL PREPARATIONS BILL**—(from Assembly—Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- 3 **HEALTH (AMENDMENT) BILL**—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 4 **HUMAN TISSUE (AMENDMENT) BILL**—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. K. I. M. Wright).
- 5 **VICTORIA GRANTS COMMISSION (AMENDMENT) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. Macey).
- 6 **BUILDING CONTROL (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- 7 **LAND (MISCELLANEOUS MATTERS) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).

- 8 **GAS AND FUEL CORPORATION (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 9 **EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 10 **DE FACTO RELATIONSHIPS BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- §11 **SUPPLY (1987–88, No. 1) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- §12 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- 13 **INDUSTRIAL RELATIONS (MISCELLANEOUS AMENDMENTS) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 14 **HOUSING (AMENDMENT) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. J. G. Miles).
- 15 **LORD MAYOR'S COMMUNITY AID BILL**—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 16 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- *17 **POST-SECONDARY EDUCATION (AMENDMENT) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- *18 **WATER ACTS (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. J. Long).
- 19 **FISHERIES (AMENDMENT) BILL**—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 20 **CRIMES (FAMILY VIOLENCE) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. W. R. Baxter).
- 21 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL**—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 22 **TAXATION (RECIPROCAL POWERS) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 23 **CO-OPERATION (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 24 **EDUCATION ACTS (AMENDMENT) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 25 **CRIMES (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 26 **CHATTEL SECURITIES BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading.

§ Cognate Bills—To be debated concurrently pursuant to Order of the Council on 8 April 1987.

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.

- (b) The Standing Committee on Education and Employment:
 Education
 Labour
 Arts
 Sport and Recreation.
- (c) The Standing Committee on Law and Local Government:
 Law
 Local Government
 Police and Emergency Services
 Consumer Affairs.
- (d) The Standing Committee on the Environment and Transport:
 Planning and Environment
 Transport
 Housing
 Public Works
 Property and Services.
- (e) The Standing Committee on Primary Industry and Resources:
 Agriculture and Rural Affairs
 Conservation, Forests and Lands
 Water Resources.
- (f) The Standing Committee on Health and Welfare:
 Aboriginal Affairs
 Health
 Community Services
 Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.

- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
- (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In

giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.

12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;

- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.
- 14 In considering any Bill or matter referred to it under paragraph 12—
- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;

- (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 **THE HON. J. V. C. GUEST**—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.
- (4) The Staffing and Appropriations Committee:
- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 **THE HON. J. V. C. GUEST**—To move, That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.

- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition

or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.

- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 4 **ROAD SAFETY COMMITTEE**—Motion for appointment—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 5 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 6 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 7 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 8 **NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1985-86 AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 9 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 10 **OMBUDSMAN'S REPORT, 1985-86**—To be considered.
- †11 **OMBUDSMAN'S REPORT—BLUE ROCK DAM**—Motion condemning Government for rejecting Ombudsman's recommendation as to compensation for acquired properties and calling for injustice to be remedied—(*Hon. R. J. Long*)—*Resumption of debate. (Hon. A. J. Hunt).*
- †12 **OMBUDSMAN'S REPORT—150th ANNIVERSARY SECRETARIAT**—Motion condemning Government for rejecting Ombudsman's finding as to compensation paid on termination of employment of certain employees and calling for payment of appropriate amounts—(*Hon. H. R. Ward*)—*Resumption of debate. (Hon. A. J. Hunt).*
- 13 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 14 **INSTITUTE OF SECONDARY EDUCATION REPORT, 1985**—To be considered.
- 15 **LOCAL AUTHORITIES SUPERANNUATION BOARD CONTRACTS ACCOUNT AND PENSIONS FUNDS—EIGHTH ACTUARIAL REPORT AS AT 28 FEBRUARY 1985**—To be considered.

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- 16 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- *17 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. HADDON STOREY—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed. [*Notice given 25 March 1987; 4 sitting days remain for resolving***]
- 2 THE HON. HADDON STOREY—To move, That the following Statutory Rules be disallowed:
 - Community Welfare Services (Special Remission) Regulations 1986 (S.R. No. 301/1986);
 - Marine (Inspection Fees for “Hire and Drive Yourself” Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and
 - Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986). [*Notice given 8 April 1987; 6 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading.
- *2 CONSERVATION, FORESTS AND LANDS BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 3 POST-SECONDARY EDUCATION (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 4 EDUCATION ACTS (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 5 WATER ACTS (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. R. J. Long*).
- 6 VICTORIA GRANTS COMMISSION (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. Macey*).
- §7 SUPPLY (1987-88, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. D. E. Henshaw*).
- §8 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. D. E. Henshaw*).
- *9 BORROWING AND INVESTMENT POWERS BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).

* Indicates new entry.

§ Cognate Bills—To be debated concurrently pursuant to Order of the Council on 8 April 1987.

- 10 **FISHERIES (AMENDMENT) BILL**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 11 **BUILDING CONTROL (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 12 **HEALTH (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 13 **DE FACTO RELATIONSHIPS BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 14 **CRIMES (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 15 **LORD MAYOR'S COMMUNITY AID BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and

- (f) The Standing Committee on Health and Welfare:
- 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
- (a) The Standing Committee on the Economy and Government:
- Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
- (b) The Standing Committee on Education and Employment:
- Education
 - Labour
 - Arts
 - Sport and Recreation.
- (c) The Standing Committee on Law and Local Government:
- Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
- (d) The Standing Committee on the Environment and Transport:
- Planning and Environment
 - Transport
 - Housing
 - Public Works
 - Property and Services.
- (e) The Standing Committee on Primary Industry and Resources:
- Agriculture and Rural Affairs
 - Conservation, Forests and Lands
 - Water Resources.
- (f) The Standing Committee on Health and Welfare:
- Aboriginal Affairs
 - Health
 - Community Services
 - Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.

- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8
 - (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
 - (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9
 - (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
 - (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
 - (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other

members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.

- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and

shall in the ordinary course make regular reports as to the progress of its proceedings;

- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.

- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.
- 21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.
- 7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:
- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.

- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
 - (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
 - (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
 - (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
 - (r) The Committee shall have power to send for persons, papers and records.
 - (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.
- *9 THE HON. J. V. C. GUEST—To move, That this House expresses its concern that the Government's plan to close the Port Melbourne and St. Kilda railway lines which at present terminate and allow connections at Flinders Street Station and to replace them with a North-South light rail route through Bourke Street is to proceed without adequate attention to the preferences of public transport users and to the evidence relevant to the decision to implement the change.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. W. R. Baxter).
- 2 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.
- 3 PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 4 ROAD SAFETY COMMITTEE—Motion for appointment—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. B. P. Dunn).
- 5 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 6 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).
- 7 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 8 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 9 OMBUDSMAN'S REPORT, 1985-86—To be considered.

- †10 OMBUDSMAN'S REPORT—BLUE ROCK DAM—Motion condemning Government for rejecting Ombudsman's recommendation as to compensation for acquired properties and calling for injustice to be remedied—(Hon. R. J. Long)—*Resumption of debate.* (Hon. A. J. Hunt).
- †11 OMBUDSMAN'S REPORT—150th ANNIVERSARY SECRETARIAT—Motion condemning Government for rejecting Ombudsman's finding as to compensation paid on termination of employment of certain employees and calling for payment of appropriate amounts—(Hon. H. R. Ward)—*Resumption of debate.* (Hon. A. J. Hunt).
- 12 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 13 INSTITUTE OF SECONDARY EDUCATION REPORT, 1985—To be considered.
- 14 LOCAL AUTHORITIES SUPERANNUATION BOARD CONTRACTS ACCOUNT AND PENSIONS FUNDS—EIGHTH ACTUARIAL REPORT AS AT 28 FEBRUARY 1985—To be considered.
- 15 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 16 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

‡Wednesday—General business.

‡No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. HADDON STOREY—To move, That Regulation 5 of the Metropolitan Fire Brigades Superannuation (Board Scheme) (Further Amendment) Regulations 1986 (Statutory Rule No. 284/1986) be disallowed. [*Notice given 25 March 1987; 3 sitting days remain for resolving***]
- φ2 THE HON. HADDON STOREY—To move, That the following Statutory Rules be disallowed:
 - Marine (Inspection Fees for “Hire and Drive Yourself” Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and
 - Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986). [*Notice given 8 April 1987; 5 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 EDUCATION ACTS (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. Haddon Storey).
- 2 CONSERVATION, FORESTS AND LANDS BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).
- 3 CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- *4 ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- *5 FORESTS (DUNSTAN AGREEMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. F. J. Granter).
- *6 PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL—Message from the Assembly—To be considered.
- 7 SUPPLY (1987-88, No. 1) BILL—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- 8 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL—(from Assembly—Hon. D. R. White)—Second reading—Question to be put.
- 9 FISHERIES (AMENDMENT) BILL—(Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).
- 10 BUILDING CONTROL (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).

φ Notice amended pursuant to Standing Order No. 84.

* Indicates new entry.

- 11 **HEALTH (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 12 **DE FACTO RELATIONSHIPS BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 13 **CRIMES (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 14 **LORD MAYOR'S COMMUNITY AID BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare;
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or

circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

(a) The Standing Committee on the Economy and Government:

Parliament
Premier and Cabinet
Public Service Board
Management and Budget
Industry, Technology and Resources.

(b) The Standing Committee on Education and Employment:

Education
Labour
Arts
Sport and Recreation.

(c) The Standing Committee on Law and Local Government:

Law
Local Government
Police and Emergency Services
Consumer Affairs.

(d) The Standing Committee on the Environment and Transport:

Planning and Environment
Transport
Housing
Public Works
Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs
Conservation, Forests and Lands
Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs
Health
Community Services
Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee

- may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
- (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue

with such inquiry and may call for public evidence and submissions.

- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.

- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such

provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
 - (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
 - (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.
- 14 In considering any Bill or matter referred to it under paragraph 12—
- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
 - (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
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- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise

be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 **THE HON. J. V. C. GUEST**—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.

- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

9 THE HON. J. V. C. GUEST—To move, That this House expresses its concern that the Government's plan to close the Port Melbourne and St. Kilda railway lines which at present terminate and allow connections at Flinders Street Station and to replace them with a North-South light rail route through Bourke Street is to proceed without adequate attention to the preferences of public transport users and to the evidence relevant to the decision to implement the change.

*10 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's funding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 2 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 4 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 5 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*

- 6 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—
Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—
Resumption of debate. (Hon. J. V. C. Guest).
- 7 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for
radical changes resulting in lack of public confidence and calling for urgent
remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan
Walker).*
- 8 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be
considered.
- 9 INSTITUTE OF SECONDARY EDUCATION REPORT, 1985—To be considered.
- 10 LOCAL AUTHORITIES SUPERANNUATION BOARD CONTRACTS ACCOUNT
AND PENSIONS FUNDS—EIGHTH ACTUARIAL REPORT AS AT 28 FEBRUARY
1985—To be considered.
- 11 TEACHER HOUSING—Motion recognizing importance to rural teaching staff
and expressing alarm at policy to sell off, despite opposition from rural
school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon.
M. J. Sandon).*
- 12 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND
RELATED MINISTERIAL STATEMENT—To be considered.
- 13 SPECIAL ACCOMMODATION HOUSES REVIEW—MINISTERIAL STATEMENT—
To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables W. R. Baxter, G. P. Connard, J. V. C. Guest and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables J. L. Dixon, R. M. Hallam and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

‡Wednesday—General business.

‡No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 15, 16 and 17

No. 15—Tuesday, 28 April 1987

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker 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:
 - Coal Mines (Amendment) Act.*
 - National Parks (Amendment) Act.*
 - National Parks (Dandenong Ranges) Act.*
 - Planning Appeals (Amendment) Act.*
 - Shop Trading Act.*
- 3 **BORROWING AND INVESTMENT POWERS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for borrowing and investment powers for certain statutory bodies and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, 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 **COMMUNITY SERVICES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Community Welfare Services Act 1970', to make consequential amendments to various Acts and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable C. J. Hogg, 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 **NATIONAL PARKS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendments made in this Bill by the Council.
- 6 **CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Chiropractors and Osteopaths Act 1978* 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**—
LEGAL AND CONSTITUTIONAL COMMITTEE—HUMAN RIGHTS—The Honourable Haddon Storey presented a Report from the Legal and Constitutional Committee upon the desirability or otherwise of Legislation defining and protecting Human Rights, together with Appendices, Extracts from the Proceedings of the Committee, a Minority Report and Minutes of Evidence.
Ordered to lie on the Table and the Report, Appendices, Extracts and Minority Report to be printed.

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

Police Service Board—

Determinations Nos. 470 and 471.

Determination No. 4 for Police Recruits.

Statutory Rules under the following Acts of Parliament:

Dentists Act 1972—No. 77.

Drugs, Poisons and Controlled Substances Act 1981—No. 82.

Firearms Act 1958—No. 78.

Post-Secondary Education Act 1978—No. 76.

Public Service Act 1974—PSD Nos. 12 and 14.

Racing Act 1958—Nos. 79 and 80.

Stamps Act 1958—No. 81.

* * * *

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 24 February 1987:

Grocery Prices Act 1987—25 March 1987 (*Gazette* No. G12, 25 March 1987).

Guardianship and Administration Board Act 1986—Part 1, sections 5 and 6, remaining sections of Part 3, sections 75 to 82 and Schedules 1 and 3—1 April 1987 (*Gazette* No. G12, 25 March 1987); section 58—1 April 1987 (*Gazette* No. G13, 1 April 1987).

Local Government Acts (Miscellaneous Amendments) Act 1986—Sections 5 to 8, 10 to 13, 15 to 17, 37 and 38—13 April 1987; sections 3, 4, 9 and 14—1 May 1987; sections 36 and 40—1 October 1987 (*Gazette* No. G13, 1 April 1987).

Lotteries Gaming and Betting (Amendment) Act 1986—Sections 5 (6), 5 (7) and 8—1 April 1987 (*Gazette* No. G12, 25 March 1987).

Road Safety Act 1986—Sections 60, 61 and Item 9 of Schedule 3—1 April 1987 (*Gazette* No. G13, 1 April 1987).

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, Business to take Precedence, be postponed until later this day.
- 9 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of May and that until the end of May, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of General business.

Debate ensued.

Question—put and resolved in the affirmative.

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.
- 11 **HUMAN TISSUE (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 12 **BORROWING AND INVESTMENT POWERS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **COMMUNITY SERVICES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. I. Knowles) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.

- 15 **EVIDENCE (NEIGHBOURHOOD MEDIATION CENTRES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 16 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 10 to 19 inclusive, be postponed until later this day.

- 17 **CRIMES (FAMILY VIOLENCE) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable K. I. M. Wright 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.

- 18 **DRUGS, POISONS AND CONTROLLED SUBSTANCES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 19 **GAS AND FUEL CORPORATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 22, be postponed until later this day.

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

Bill read a second time and, by leave, read a third time and passed.

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

- 22 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 24 and 25, be postponed until later this day.

- 23 **CHATTEL SECURITIES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable 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 later this day.

- 24 **AGRICULTURAL ACTS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **ANIMAL PREPARATIONS BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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.

- 26 **COMMUNITY SERVICES BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **CONSERVATION, FORESTS AND LANDS BILL**—The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to create a body corporate called the Director-General of Conservation, Forests and Lands, to abolish various bodies and transfer their functions to that body corporate, to provide for the administration and enforcement of Acts administered by the Minister for Conservation, Forests and Lands and for other matters concerning land management, to make consequential amendments to various Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **LAND (MISCELLANEOUS MATTERS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **CHattel SECURITIES BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable K. I. M. Wright 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.

- 30 **HOUSING (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **BUSINESS FRANCHISE ACTS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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.

- 32 **TAXATION (RECIPROCAL POWERS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **INDUSTRIAL RELATIONS (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable Joan Coxsedg 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.

- 34 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.44 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 16—Wednesday, 29 April 1987

- 1 The President took the Chair and read the Prayer.
- 2 **MINISTERIAL STATEMENT—SPECIAL ACCOMMODATION HOUSES**—The Honourable D. R. White made a Ministerial Statement regarding the Review of Special Accommodation Houses.

The Honourable M. A. Birrell moved, by leave, That the Ministerial Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 3 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, Business to take Precedence, the Orders of the Day, Government Business, and the Notices of Motion and Orders of the Day, General Business, Nos. 1 to 9 inclusive, be postponed until later this day.

- 4 **OMBUDSMAN'S REPORTS—BLUE ROCK DAM AND 150TH ANNIVERSARY SECRETARIAT**—The Order of the Day having been read for the resumption of the concurrent debate (pursuant to an Order of the Council on 25 March 1987) on the motions condemning the Government for rejecting the Ombudsman's recommendation as to compensation for acquired properties and calling for the injustice to be remedied, and for rejecting the Ombudsman's finding as to compensation paid on termination of employment of certain employees of Victoria's 150th Anniversary Secretariat and calling for payment of appropriate amounts—

Debate resumed.

And the debate having concluded—

Question—That this House strongly condemns the Government for rejecting the Ombudsman's recommendation contained in his report tabled in this House on 20 November 1986 that appropriate compensation be paid to remedy an injustice to

certain complainants following the acquisition of their farming properties for the purpose of building the Blue Rock Dam, and calls on the Government immediately to remedy such injustice—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles (*Teller*)
R. Lawson (*Teller*)
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward
K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy (*Teller*)
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

* * * *

Question—That the Government be condemned for its failure to accept the findings by the Ombudsman that an injustice had been done to two complainants, former employees of Victoria's 150th Anniversary Secretariat, and that such injustice was not remedied by compensation in line with that now approved for Crown appointees whose employment is terminated before the expiration of their agreed period of employment, and calls upon the Government to make appropriate payments to the complainants as recommended by the Ombudsman—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson (*Teller*)
R. J. Long
R. Macey
J. G. Miles
N. B. Reid

NOES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen

Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

M. J. Sandon (*Teller*)
 C. F. Van Buren (*Teller*)
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 5 **ROAD SAFETY COMMITTEE**—The Order of the Day having been read for the resumption of the debate on the question—
- 1 That a Joint Select Committee be appointed to inquire into and report upon 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.
 - 2 That the Committee have power to present interim reports and be required to present its Final Report to the Parliament no later than 30 November 1988.
 - 3 That the Committee consist of six members, comprising not more than two Members of the Legislative Council nor more than five Members of the Legislative Assembly.
 - 4 That three members of the Committee constitute a quorum of the Committee.
 - 5 That the Committee shall elect one of its members to be Chairman who, in the event of an equality of votes, shall also have a casting vote.
 - 6 That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - 7 That the Committee may sit and transact business during any adjournment or recess of the Houses in the period for which it holds office but the Committee shall not sit while either House of Parliament is actually sitting, except by leave of that House and at a place that is within the Parliament Buildings.
 - 8 That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.
 - 9 That the Committee may send for persons, papers and records and report the minutes of evidence from time to time.
 - 10 That the Committee have power to authorize publication of any evidence given before it and any document presented to it.
 - 11 That the Committee be a Committee to which section 51A (1A) of the *Parliamentary Committees Act 1968* applies.
 - 12 That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practices of the Houses, shall have effect notwithstanding anything contained in the Standing Orders—

Debate resumed.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. Lawson
 R. J. Long
 R. Macey (*Teller*)
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them with the foregoing resolution and desiring their concurrence therein.

- 6 **CHIROPRACTORS AND OSETOPATHS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable 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.

- 7 **CONSERVATION, FORESTS AND LANDS BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable R. S. de Fegely 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 **POST-SECONDARY EDUCATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **VICTORIA GRANTS COMMISSION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a

second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **WATER ACTS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **BORROWING AND INVESTMENT POWERS BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **SUPPLY (1987-88, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, No. 1) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 8 April 1987]—

Debate resumed.

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 Honourable G. A. Sgro 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 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have disagreed with the amendments made by the Council.

Ordered—That the Message be taken into consideration on the next day of meeting.

- 14 **ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Environment Protection Act 1970’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), 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.

Accordingly, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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.

- 15 **FORESTS (DUNSTAN AGREEMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to ratify, validate, approve and otherwise give effect to an Agreement with A. Dunstan Timber Sales Pty. Ltd. and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. E. Kirner), 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.

Accordingly, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That the this Bill be now read a second time.

The Honourable 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.

- 16 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.43 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 17—Thursday, 30 April 1987

- 1 The President took the Chair and read the Prayer.
- 2 **HEALTH (CHILDREN'S SERVICES) BILL**—On the motion (by leave without notice) of the Honourable C. J. Hogg, leave was given to bring in a Bill to amend the *Health Act 1958* to regulate the conduct of children's services 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 **ECONOMIC AND BUDGET REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable W. R. Baxter be discharged from attendance upon the Economic and Budget Review Committee, and that the Honourable R. M. Hallam be added to that Committee.
- Question—put and resolved in the affirmative.
- 4 **SOCIAL DEVELOPMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable R. M. Hallam be discharged from attendance upon the Social Development Committee, and that the Honourable W. R. Baxter be added to that Committee.
- Question—put and resolved in the affirmative.
- 5 **PAPERS**—
- ECONOMIC AND BUDGET REVIEW COMMITTEE—BUSH NURSING SERVICES**—The Honourable D. E. Henshaw presented the Final Report from the Economic and Budget Review Committee upon Bush Nursing Services, together with Appendices and Minutes of Evidence.
- Ordered to lie on the Table, and the Report and Appendices to be printed.
- The Honourable G. P. Connard moved, by leave, That the Report be taken into consideration later this day.

Question—put and resolved in the affirmative.

* * * *

SOCIAL DEVELOPMENT COMMITTEE—OPTIONS FOR DYING WITH DIGNITY—

The Honourable J. L. Dixon presented the Final Report from the Social Development Committee upon Options for Dying with Dignity, together with Appendices.

Ordered, after debate, to lie on the Table and to be printed.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—

CEMETERY LEGISLATION—The Honourable J. G. Miles presented a Report from the Mortuary Industry and Cemeteries Administration Committee upon a Review of Cemetery Legislation, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

* * * *

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

Grocery Prices Act 1987—Order in Council dated 28 April 1987 declaring certain items to be Basic Grocery Items.

Liquor Control Commission—Report for the year 1985–86.

Statutory Rule under the Road Safety Act 1986—No. 83, together with a copy of the Victoria Police Manual which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

6 **BUSINESS POSTPONED—Ordered—**That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.

7 **EDUCATION ACTS (AMENDMENT) BILL—**The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

8 **BUSINESS POSTPONED—Ordered—**That the consideration of Orders of the Day, Government Business, Nos. 2 to 4 inclusive, be postponed until later this day.

9 **FORESTS (DUNSTAN AGREEMENT) BILL—**The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, 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 Honourable G. A. Sgro 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 **FIRE AUTHORITIES 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 the 'Metropolitan Fire Brigades Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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.

- 12 **SUPPLY (1987-88, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold 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.

- 13 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—The Order of the Day having been read for the consideration of the amendments made by the Council in this Bill with which the Assembly have disagreed, the amendments were read and are as follows:

1. Clause 2, line 7, after "2." insert "(1)".
2. Clause 2, lines 7 and 8, omit "the day on which it receives the Royal Assent" and insert "a day to be proclaimed".
3. Clause 2, after line 8 insert—

"(2) The Governor in Council shall not fix a day for this Act to come into operation unless the Governor in Council—

- (a) is satisfied that awards that have effect under a law of the Commonwealth have generally been or will generally be varied to similar effect as is provided for in section 3 in respect of awards under the law of Victoria;
- (b) publishes notice of that satisfaction in the *Government Gazette* not later than the day on which the proclamation of this Act is published in the *Government Gazette*."

The Honourable Evan Walker moved, That the Council do not insist on their amendments with which the Assembly have disagreed.

Debate ensued.

Question—put.

The Council divided.

AYES, 19

The Hon. M. J. Arnold
 Joan Coxsedge
 J. L. Dixon (*Teller*)
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative—Amendments insisted on.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council insist on the amendments with which the Assembly have disagreed.

- 14 **HEALTH (CHILDREN'S SERVICES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable N. B. Reid (for the Honourable R. I. Knowles) 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 **FIRE AUTHORITIES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable N. B. Reid 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 **CONSERVATION, FORESTS AND LANDS BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 17 **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 make miscellaneous amendments to 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 Honourable Evan Walker (for the Honourable D. R. White), 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.

- 18 **MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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 later this day.

- 19 **INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL**—By leave, on the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Infertility (Medical Procedures) Act 1984* 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 forthwith.

Accordingly, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable M. A. Birrell 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 **PUBLIC BODIES REVIEW COMMITTEE—BROILER AND TOMATO PROCESSING INDUSTRY NEGOTIATING COMMITTEES**—The Honourable A. J. Hunt presented Reports from the Public Bodies Review Committee upon the Victorian Broiler Industry Negotiation Committee and the Tomato Processing Industry Negotiating Committee, together with an Appendix, a Bibliography and Minutes of Evidence.

Ordered to lie on the Table and the Reports, Appendix and Bibliography to be printed.

- 21 **SUPPLY (1987-88, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable D. M. Evans 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.

- 22 **FIRE AUTHORITIES BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 23 **LOCAL GOVERNMENT ELECTIONS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for triennial elections and proportional representation for the Shire of Morwell, to enable other municipal councils to apply to hold triennial elections with proportional representation and for other related purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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.

Accordingly, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable H. R. Ward moved, That the debate be now adjourned.

Debate ensued.

Question—That the debate be now adjourned—put.

The Council divided.

AYES, 14

The Hon. W. R. Baxter
 B. A. Chamberlain
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 R. M. Hallam
 A. J. Hunt
 R. Lawson (*Teller*)
 R. J. Long
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty (*Teller*)
 K. I. M. Wright

NOES, 17

The Hon. M. J. Arnold
 Joan Coxsedge
 J. L. Dixon
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White

And so it passed in the negative.

Debate ensued.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 18

The Hon. M. J. Arnold
 Joan Coxsedge
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster (*Teller*)
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon

NOES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey

G. A. Sgro
Evan Walker
D. R. White

Marie Tehan
Rosemary Varty
H. R. Ward (*Teller*)
K. I. M. Wright (*Teller*)

And so it passed in the negative.

- 24 **PUBLIC SERVICE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend Part V of the ‘Public Service Act 1974’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **HOUSE CONTRACTS GUARANTEE BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make fresh provision concerning the guarantees required to be given in relation to domestic building work, to specify requirements to be complied with in relation to domestic building work contracts, to repeal Division 1A of Part XLIX of the ‘Local Government Act 1958’ and the ‘Building Contracts (Deposits) Act 1962’, to amend the ‘Sale of Land Act 1962’ and the ‘Building Control Act 1981’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, Government Business, and the Notices of Motion and Orders of the Day, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.

- 27 **RURAL ECONOMICS STUDY**—The Order of the Day having been read for the consideration of the Victorian Government’s response to the Lloyd Economics Study and the related Ministerial Statement, the Honourable R. I. Knowles moved, That the Council take note of the response and Ministerial Statement.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

FRIDAY, 1 MAY 1987

Debate continued.

The Honourable 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.

- 28 **MELBOURNE AND METROPOLITAN BOARD OF WORKS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **POLICE REGULATION (PROTECTIVE SERVICES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision for the appointment of protective services officers, to amend the ‘Police Regulation Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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**—This Bill was, according to Order and after debate, read a second time and, by leave, 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 **HOUSE CONTRACTS GUARANTEE 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 Honourable G. A. Sgro reported that the Committee had agreed to the Bill with amendments.

The Honourable J. E. Kirner moved, That the Bill be recommitted to the Committee of the whole in respect of clause 38.

Question—put and resolved in the affirmative.

The President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro having reported that the Committee has agreed to the Bill with a further amendment, the House ordered the Reports to be taken into consideration this day, whereupon the House adopted the Reports 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.

- 32 **CO-OPERATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly 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.

- 33 **POLICE REGULATION (PROTECTIVE SERVICES) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, 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 **CO-OPERATION (AMENDMENT) 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 13, page 10, after line 19 insert—

() For section 198 (8), substitute—

“(8) If, as a result of an agent ceasing to be an agent, a foreign society has less than two agents, the foreign society must, within 21 days after the day the agent ceases to be an agent—

(a) appoint another agent who lives in Victoria; and

(b) lodge with the registrar a copy of the memorandum of appointment or power of attorney, under the seal of the foreign society—

(i) stating the new agent’s name and address; and

(ii) authorising the new agent to accept on its behalf service of process and any notices required to be served on the foreign society.”; and’.

On the motion of the Honourable J. H. Kennan, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

- 35 **PLANNING AND ENVIRONMENT BILL**—The President announced the receipt of a Message from the Assembly transmitting a communication from the Clerk of the Parliaments (pursuant to Joint Standing Order No. 21) calling attention to certain clerical errors in this Bill, and acquainting the Council that they have agreed that such errors be corrected—

By the insertion of the figures “98” instead of the figures “114” in clause 115, paragraph (c);

By the insertion of the figures “151” instead of the figures “165” in clause 166, sub-clause (1);

By the insertion of the figures “173” instead of the figures “187” in new clause GG, sub-clause (4), paragraph (c);

By the insertion of the figures “114” instead of the figures “130” in new clause GG, sub-clause (6), paragraph (b)—

and desiring the concurrence of the Council therein.

Ordered—That the Message be now taken into consideration.

On the motion of the Honourable J. H. Kennan, the Council concurred with the Assembly in the correction of the clerical errors discovered in this Bill and ordered that a Message be sent to the Assembly acquainting them therewith.

- 36 **SUPPLY (1987-88, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 37 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time—

Question—put and resolved in the affirmative.

Bill read a second time and, by leave, 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.

- 38 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly—

Acquainting the Council that they have agreed to the following Bills without amendment:

Companies and Securities Legislation (Miscellaneous Amendments) Bill.

Sale of Goods (Vienna Convention) Bill.

Jurisdiction of Courts (Cross-vesting) Bill.

Human Tissue (Amendment) Bill.

Drugs, Poisons and Controlled Substances (Amendment) Bill.

Evidence (Neighbourhood Mediation Centres) Bill.

Crimes (Family Violence) Bill.

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Planning and Environment Bill.

Chattel Securities Bill.

Industrial Relations (Miscellaneous Amendments) Bill.

Health Services (Conciliation and Review) Bill.
Education Acts (Amendment) Bill.
Conservation, Forests and Lands Bill.
Environment Protection (Amendment) Bill (No. 2).
Fire Authorities Bill.
House Contracts Guarantee Bill.

- 39 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Members of Parliament (Register of Interests) Act 1978—Summary of variations notified to 30 April 1987.

Teaching Service Conciliation and Arbitration Commission—Report of the President for the year 1985–86.

Tourism Commission—Report and statement of accounts for the year 1985–86.

- 40 **ADJOURNMENT**—The Honourable D. R. White 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 Honourable Member by telegram or letter.

Question—put and resolved in the affirmative.

And then the Council, at 4.34 a.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

φ1 THE HON. HADDON STOREY—To move, That the following Statutory Rules be disallowed:

Marine (Inspection Fees for "Hire and Drive Yourself" Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and

Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986). [*Notice given 8 April 1987; 4 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).
- 2 FISHERIES (AMENDMENT) BILL—(Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. R. S. de Fegely).
- 3 BUILDING CONTROL (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- *4 HEALTH (CHILDREN'S SERVICES) BILL—(Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- *5 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 6 HEALTH (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 7 DE FACTO RELATIONSHIPS BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 8 CRIMES (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 9 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. H. R. Ward).

φ Notice amended pursuant to Standing Order No. 84.

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget

Industry, Technology and Resources.

(b) The Standing Committee on Education and Employment:

Education

Labour

Arts

Sport and Recreation.

(c) The Standing Committee on Law and Local Government:

Law

Local Government

Police and Emergency Services

Consumer Affairs.

(d) The Standing Committee on the Environment and Transport:

Planning and Environment

Transport

Housing

Public Works

Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs

Conservation, Forests and Lands

Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs

Health

Community Services

Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of

- proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
- (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from

one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.

12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall

remain in the custody of the House after the completion of that Committee's inquiry;

- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;

- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.

19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the

Parliament, whether such Bills or Acts, by express words or otherwise—

- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.

(2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.

(3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

(a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and

(b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

(a) There shall be appointed an Estimates Committee.

(b) The Estimates Committee shall consist of six members of whom three

shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.

- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.

- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.
- 9 THE HON. J. V. C. GUEST—To move, That this House expresses its concern that the Government's plan to close the Port Melbourne and St. Kilda railway lines which at present terminate and allow connections at Flinders Street Station and to replace them with a North-South light rail route through Bourke Street is to proceed without adequate attention to the preferences of public transport users and to the evidence relevant to the decision to implement the change.
- 10 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—
- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—
- be conveyed to the Assembly with a Message desiring their concurrence therein.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 2 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 4 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 5 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 6 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 7 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 8 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 9 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. M. J. Sandon).*

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- 10 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
 - 11 SPECIAL ACCOMMODATION HOUSES REVIEW—MINISTERIAL STATEMENT—To be considered.
 - *12 BUSH NURSING SERVICES—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
 - *13 OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
 - *14 GROCERY PRICES ACT 1987—ORDER IN COUNCIL DATED 28 APRIL 1987 DECLARING CERTAIN ITEMS TO BE BASIC GROCERY ITEMS—To be considered.
 - *15 LIQUOR CONTROL COMMISSION REPORT, 1985-86—To be considered.
 - *16 ROAD SAFETY (PROCEDURES) (AMENDMENT) REGULATIONS 1987 (S.R. No. 83)—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

φ1 THE HON. HADDON STOREY—To move. That the following Statutory Rules be disallowed:

Marine (Inspection Fees for "Hire and Drive Yourself" Motor Boats and Rowing Boats) Regulations 1986—Regulation 2, Schedule I, item 2 (a) (S.R. No. 288/1986); and

Marine (Survey, Plans and Compass) Fees Regulations 1986—Regulation 2 (c), Schedule III, item 1 (e) (S.R. No. 289/1986). [*Notice given 8 April 1987; 3 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GENERAL BUSINESS

NOTICES OF MOTION

1 THE HON. D. M. EVANS—To move. That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.

2 THE HON. R. LAWSON—To move. That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

3 THE HON. N. B. REID—To move. That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

4 THE HON. M. A. LYSTER—To move. That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.

5 THE HON. J. V. C. GUEST—To move. That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.

φ Notice amended pursuant to Standing Order No. 84.

6 THE HON. J. V. C. GUEST—To move, That the following Sessional Order be agreed to by the Council:

- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
- 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on the Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing
 - Public Works
 - Property and Services.
 - (e) The Standing Committee on Primary Industry and Resources:
 - Agriculture and Rural Affairs
 - Conservation, Forests and Lands
 - Water Resources.
 - (f) The Standing Committee on Health and Welfare:
 - Aboriginal Affairs
 - Health
 - Community Services
 - Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.

- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose

of bringing any report or matter before the Council where the Committee is evenly divided.

- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
 - (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
 - (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and

evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable:

- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any

explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.
- 21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 **THE HON. J. V. C. GUEST**—To move, That the following be adopted as a Standing Order of the Legislative Council:

307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman

of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.

- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.
- (4) The Staffing and Appropriations Committee:
 - (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. J. V. C. GUEST—To move. That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and

(iii) public servants and other relevant officers.

- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

9 **THE HON. J. V. C. GUEST**—To move, That this House expresses its concern that the Government's plan to close the Port Melbourne and St. Kilda railway lines which at present terminate and allow connections at Flinders Street Station and to replace them with a North-South light rail route through Bourke Street is to proceed without adequate attention to the preferences of public transport users and to the evidence relevant to the decision to implement the change.

10 **THE HON. R. J. LONG**—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*

- 4 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 5 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 6 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 7 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 8 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 9 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 10 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 11 **SPECIAL ACCOMMODATION HOUSES REVIEW—MINISTERIAL STATEMENT**—To be considered.
- 12 **BUSH NURSING SERVICES—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT**—To be considered.
- 13 **OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT**—To be considered.
- 14 **GROCERY PRICES ACT 1987—ORDER IN COUNCIL DATED 28 APRIL 1987 DECLARING CERTAIN ITEMS TO BE BASIC GROCERY ITEMS**—To be considered.
- 15 **LIQUOR CONTROL COMMISSION REPORT, 1985-86**—To be considered.
- 16 **ROAD SAFETY (PROCEDURES) (AMENDMENT) REGULATIONS 1987 (S.R. No. 83)**—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. H. R. Ward*).
- 2 **FISHERIES (AMENDMENT) BILL**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. R. S. de Fegeley*).
- 3 **BUILDING CONTROL (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 4 **HEALTH (CHILDREN'S SERVICES) BILL**—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 5 **INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).

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- 6 **HEALTH (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
 - 7 **DE FACTO RELATIONSHIPS BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
 - 8 **CRIMES (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
 - 9 **LORD MAYOR'S COMMUNITY AID BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 18 and 19

No. 18—Tuesday, 11 August 1987

- 1 The Council met in accordance with adjournment the President, pursuant to resolution, having fixed this day at 3.00 p.m. as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments or, in his absence, by the Clerk-Assistant of the Legislative Council:

On 5 May 1987—

Agricultural Acts (Amendment) Act.
Animal Preparation Act.

On 12 May 1987—

Borrowing and Investment Powers Act.
Business Franchise Acts (Amendment) Act.
Chattel Securities Act.
Community Services Act.
Co-operation (Amendment) Act.
Companies and Securities Legislation (Miscellaneous Amendments) Act.
Crimes (Family Violence) Act.
Drugs, Poisons and Controlled Substances (Amendment) Act.
Education Acts (Amendment) Act.
Environment Protection (Amendment) Act.
Forests (Dunstan Agreement) Act.
Gas and Fuel Corporation (Amendment) Act.
Health Services (Conciliation and Review) Act.
Housing (Amendment) Act.
Human Tissue (Amendment) Act.
Industrial Relations (Miscellaneous Amendments) Act.
Jurisdiction of Courts (Cross-vesting) Act.
Land (Miscellaneous Matters) Act.
Melbourne and Metropolitan Board of Works (Amendment) Act.
Police Regulation (Protective Services) Act.
Post-Secondary Education (Amendment) Act.
Public Service (Amendment) Act.
Sale of Goods (Vienna Convention) Act.
Supply (1987-88, No. 1) Act.
Taxation (Reciprocal Powers) Act.
Victoria Grants Commission (Amendment) Act.
Water Acts (Amendment) Act.
Works and Services (Ancillary Provisions, No. 1) Act.

On 19 May 1987—

Conservation, Forests and Lands Act.
Evidence (Neighbourhood Mediation Centres) Act.

Fire Authorities Act.

House Contracts Guarantee Act.

On 27 May 1987—

Planning and Environment Act.

- 4 PRESENTATION OF ADDRESS TO HIS EXCELLENCY THE GOVERNOR—The President reported that, accompanied by Honourable Members, he had waited upon His Excellency the Governor on 15 May 1987 and had presented to him the Address of the Legislative Council adopted on 16 April 1987 in reply to His Excellency the Governor's Speech at the Opening of Parliament, and that His Excellency had been pleased to make the following reply:

MR PRESIDENT AND HONOURABLE 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.

- 5 TITLE OF "HONOURABLE"—The President announced that advice had been received that Her Majesty The Queen had been pleased to approve the retention of the title "Honourable" by Mr Frederick Sheppard Grimwade, A.O., who served as a Member of the Legislative Council for a continuous period of not less than ten years.
- 6 SUSPENSION OF STANDING ORDERS—QUESTIONS—The Honourable Evan Walker moved, by leave, That so much of the Standing Orders as require answers to Questions on Notice to be delivered verbally in the House be suspended for the sitting of the Council this day.

Question—put and resolved in the affirmative.

- 7 ADJOURNMENT—MOTION UNDER STANDING ORDER No. 53—The Honourable B. A. Chamberlain moved, That the Council do now adjourn, and said he proposed to speak to the subject of "The failure of the Government to uphold the integrity of the electoral system and the traditions of Parliament and of ministerial responsibility in relation to the false Nunawading how-to-vote cards."

And six other Honourable Members having risen in their places and required the motion to be proposed—

Debate ensued.

Question—put.

The Council divided.

AYES, 19

The Hon. W. R. Baxter
M. A. Birrell (*Teller*)
B. A. Chamberlain
G. P. Connard (*Teller*)
R. S. de Fegely
D. M. Evans
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey

NOES, 18

The Hon. Joan Coxsedg (*Teller*)
G. R. Crawford (*Teller*)
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L.A. McArthur
J. McLean
B. W. Mier
B. T. Pullen
M. J. Sandon

Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

G. A. Sgro
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

And then the Council, at 5.58 p.m., adjourned until tomorrow.

R. K. EVANS
 Clerk of the Legislative Council

No. 19—Wednesday, 12 August 1987

- 1 The President took the Chair and read the Prayer.
- 2 **PSYCHOLOGISTS REGISTRATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision for the registration of psychologists, to repeal the ‘Psychological Practices Act 1965’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **RESIDENTIAL TENANCIES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Residential Tenancies Act 1980’ and the ‘Administrative Law Act 1978’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), 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—PUBLIC HOSPITALS**—The Honourable M. A. Birrell presented a Petition from certain citizens of Victoria praying that public hospitals be saved from forced closure.

Ordered to lie on the Table.

- 5 **PROPERTY LAW (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker (for the Honourable J. H. Kennan), leave was given to bring in a Bill to amend the *Property Law Act 1958* to provide for the resolution of disputes between de facto partners about real property 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 **PAPERS**—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of Administrative Arrangements Order No. 52 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Order was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—ACCESS TO VICTORIA'S PARKS—The Honourable N. B. Reid presented a Report from the Natural Resources and Environment Committee upon Access to Victoria's Parks, 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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PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Dangerous Goods Act 1985—Report on administration and operation for the year 1985–86.

Deakin University—Reports and accounts for the years 1983, 1984 and 1985 (six papers).

Dried Fruits Board—Report and statement of accounts for the year 1986.

Land Conservation Council—Final recommendations to the Minister regarding the Melbourne Area.

Law Foundation—Report for the year 1985–86.

Melbourne College of Advanced Education—Report and statement of accounts for the year 1985.

Monash University—Report of the Council, together with Statutes approved by the Governor in Council for the year 1985 (ten papers).

Parliamentary Officers Act 1975—Statements of appointments, alterations of classifications and of persons temporarily employed in the Parliamentary departments for the year 1986–87 (ten papers).

Police Service Board—

Determinations Nos. 472 to 475.

Determination No. 5 for Police Recruits.

Prison Industries Commission—Report and statement of accounts for the year 1985–86.

Public Offices Corporation—Report and accounts for the year 1985–86.

River Murray Commission—Report and financial statements for the year 1985–86.

Road Safety Act 1986—Order in Council dated 28 April 1987 declaring certain vehicles to be tractors for the purposes of the Act.

Statutory Rules under the following Acts of Parliament:

Abattoir and Meat Inspection Act 1973—No. 92, together with copies of the following documents, which by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

Export Control Act 1982 of the Commonwealth.

Prescribed Goods (General) Orders No. 1 of 1985 of the Commonwealth; and Nos. 149 to 151.

Administrative Appeals Tribunal Act 1984—Planning Appeals (Amendment) Act 1987—No. 198.

Agricultural Chemicals Act 1958—Nos. 118 and 119.

Alpine Resorts Act 1983—Nos. 101 and 147.

Annual Reporting Act 1983—No. 204.

Business Franchise (Tobacco) Act 1974—Business Franchise (Petroleum Products) Act 1979—No. 160.

Chattel Securities Act 1981—Nos. 189 and 192.

Community Welfare Services Act 1970—No. 84.

Statutory Rules—*continued*

Companies (Application of Laws) Act 1981—No. 99, together with a copy of the Companies (Victoria) Regulations, which by section 32 of the *Interpretation of Legislation Act 1984* is also required to be laid upon the Table;
and No. 121.

Consumer Affairs Act 1972—No. 191, together with a copy of AS 1647 Part 2—1981—Children's Toys (Safety Requirement) Part 2—Constructional Requirements, which by section 32 of the *Interpretation of Legislation Act 1984* is also required to be laid upon the Table.

Co-operative Housing Societies Act 1958—No. 106.

County Court Act 1958—Nos. 96 and 148.

Credit Act 1984—No. 134.

Crimes (Confiscation of Profits) Act 1986—No. 181, together with copies of the following documents, which by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

Crimes (Confiscation of Profits) Act 1986 of South Australia.

Crimes (Confiscation of Profits) Act 1985 of New South Wales.

Dairy Industry Act 1984—No. 152.

Dog Act 1970—No. 89.

Dried Fruits Act 1958—No. 178.

Education Act 1958—Nos. 136, 137 and 200.

Emergency Services Superannuation Act 1986—No. 131.

Environment Protection Act 1970—Nos. 177 and 193 to 197.

Extractive Industries Act 1966—No. 184.

Farm Produce Merchants and Commission Agents Act 1965—Nos. 120 and 179.

Fertilizers Act 1974—No. 87.

Financial Institutions Duty Act 1982—No. 202.

Fisheries Act 1968—Nos. 93, 97, 168.

Forests Act 1958—No. 183.

Futures Industry (Application of Laws) Act 1986—No. 172.

Guardianship and Administration Board Act 1986—No. 176.

Health Act 1958—Nos. 107 and 138.

Hospitals and Charities Act 1958—No. 117.

Hospitals Superannuation Act 1965—No. 203.

Liquefied Gases Act 1968—No. 163.

Liquor Control Act 1968—No. 102.

Local Government Act 1958—Nos. 171 and 175.

Lotteries Gaming and Betting Act 1966—Nos. 144 and 201.

Magistrates' Courts Act 1971—No. 105.

Marine Act 1958—No. 159.

Medical Practitioners Act 1970—No. 108.

Melbourne and Metropolitan Board of Works Act 1958—Nos. 110 to 115 and 126.

Mildura Irrigation Trusts and Sunraysia Water Board Act 1958—No. 161.

Mines Act 1958—No. 185.

Motor Car Traders Act 1986—No. 190.

National Companies and Securities Commission (State Provisions) Act 1981—No. 173.

National Parks Act 1975—No. 133.

Occupational Health and Safety Act 1985—No. 130 and No. 164, together with a copy of Ambulance Services Award (No. 3 of 1985)—Award made by the Ambulance Services Conciliation and Arbitration Board, which by

Statutory Rules—*continued*

section 32 of the *Interpretation of Legislation Act 1984* is also required to be laid upon the Table.

Optometrists Registration Act 1958—No. 135.

Pharmacists Act 1974—No. 98.

Post-Secondary Education Act 1978—Nos. 128 and 129.

Poultry Processing Act 1968—No. 153.

Public Authorities Marks Act 1958—No. 125.

Public Service Act 1974—Nos. 162 and 186; and PSD Nos. 13 and 15 to 32.

Racing Act 1958—Nos. 139 to 143, 145, 146, 187 and 188.

Reference Areas Act 1978—No. 182.

Retirement Villages Act 1986—No. 122, together with a copy of the Australian Bureau of Statistics Consumer Price Index December Quarter 1986, which by section 32 of the *Interpretation of Legislation Act 1984* is also required to be laid upon the Table.

Road Safety Act 1986—No. 116.

Road Safety Act 1986—

Notice of Standards required for Registration of Motor Vehicles and Trailers made pursuant to section 10 (*Government Gazette* S26, 25 June 1987), together with copies of the following documents, which by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

Australian Design Rules 1, 2, 3, 4, 4A, 4B, 4C, 4D, 5A, 5B, 6, 6A, 7, 8, 9, 10A, 10B, 11, 12, 14, 15, 16, 17, 18, 18A, 20, 21, 22, 22A, 23, 23A, 23B, 24, 24A, 25, 26, 27, 27A, 27B, 27C, 28, 28A, 29, 30, 31, 32, 32A, 33, 33A, 34, 34A, 35, 35A, 36, 36A, 37, 38, 39, 39A, 40, and 41.

AUSTRALIAN STANDARDS

AS R1—1986 Safety Glass for Land Transport.

AS CC1 Part 1—1969 SAA Wiring Rules.

AS CB4—1969 SAA Gas Cylinders Code.

AS CB19—1963 Fire Precautions in Arc or Flame Cutting and Arc or Gas Welding Operations.

AS CB20—1971 SAA LP Gas Code.

AS CB22—1969 Code for Gas Cylinder Test Stations.

AS D26—1972 Tube Fittings with Dry Seal American Standard Taper Pipe and Unified Threads for Automotive and Industrial Use.

AS D31—1973 New Pneumatic Passenger Car Tyres.

AS E35 Part 1—1970 Seat Belt Assemblies for Motor Vehicles.

AS E35 Part 2—1970 Seat Belt Assemblies (including Retractors) for Motor Vehicles.

AS E47—1971 Webbing for Restraining Devices for Occupants of Motor Vehicles.

AS A137—1968 Dry Chemical Type Portable Fire Extinguishers.

AS 1110—1984 ISO Metric Hexagon Precision Bolts and Screws.

AS 1425—1973 Use of LP Gas in Internal Combustion Engines.

AS 1425—1982 (and Amendments 1 and 2) SAA Automotive LP Gas Code.

AS 1432—1983 Copper Tubes for Water, Gas and Sanitation.

AS 1572—1974 Seamless Copper and Copper Alloy Tubes for General Engineering Purposes.

AS 1587—1973 (and Amendment No. 1) Methods for Measurements of Textile Fabrics.

AS 1596—1983 (and Amendments 1 and 2) SAA LP Gas Code.

AS 1674—1980 Fire Precautions in Cutting, Heating and Welding Operations.

Statutory Rules—*continued*

- AS 1743—1975 (and Amendments 1 to 4) Road Signs.
- AS 1751—1975 Copper Brazed Steel Tubes.
- AS 1753—1983 Webbing for Restraining Devices for Occupants of Motor Vehicles.
- AS 1754—1975 (and Amendments 1 to 4) Child Restraints for Passenger Cars and Derivatives.
- AS 1869—1983 Hose and Hose Assemblies for Liquefied Petroleum Gases (LPG), Natural Gas and Town Gas.
- AS 1973—1976 Retreaded Pneumatic Passenger Car Tyres.
- AS 2030—1977 (and Amendments 1 and 2) SAA Gas Cylinders Code.
- AS 2080—1977 Safety Glass for Vehicles.
- AS 2337—1980 Gas Cylinder Test Stations.
- AS 2430 Classification of Hazardous Areas.
 - Part 1—1982 Explosive Gas Atmospheres.
 - Part 2—1981 Dusts (including Inherently Explosive Dusts).
- AS 2465—1981 Unified Hexagon Bolts, Screws and Nuts (Unc and Unf Threads).
- AS 2473—1981 Valves for Compressed Gas Cylinders (Threaded Outlet).
- AS 2596—1983 Seat Belt Assemblies for Motor Vehicles.
- AS 2597 Methods of Testing Seat Belts.

SAE STANDARDS

- J 527 Brazed Double Wall Low Carbon Steel Tubing.
- J 527b Brazed Double Wall Low Carbon Steel Tubing.
- J 726 Air Cleaner Test Code.
- J 826 Manikins for use in Defining Vehicle Seating Accommodation.
- J 839b Passenger Car Side Door Latch Systems.
- J 850 Barrier Collision Tests.
- J 879b Motor Vehicle Seating Systems.
- J 903a Passenger Car Windshield Wiper Systems.
- J 934 Vehicle Passenger Door Hinge Systems.
- J 941 Motor Vehicle Driver's Eye Range.
- J 941a Passenger Car Driver's Eye Range.
- J 941e Motor Vehicle Driver's Eye Range.
- J 944 Steering Wheel Assembly Laboratory Test Procedure.
- J 953 Passenger Car Back Light Defogging System.
- J 964 Test Procedure for Determining Reflectivity of Rear View Mirrors.
- J 985 Vision Factors Considerations in Rear View Mirror Design.
- J 1100a Motor Vehicle Dimensions.

VICTORIA GOVERNMENT GAZETTE EXTRACTS

- Extract from *Government Gazette* No. 76, 17 September 1986, page 3570, Exemptions from Fitting of Seat Belts.
- Extract from *Government Gazette* No. 80, 1 October 1986, page 3813, Exemptions from Fitting of Seat Belts.
- Extract from *Government Gazette* No. 107, 18 December 1968, page 4089, Exemptions from Fitting of Seat Belts.

AMERICAN NATIONAL STANDARDS

- ANSI Z26.1a—1980 Safety Code for Glazing Materials for Glazing Motor Vehicles Operating on Land Highways.
- B 117—73 Standard Method of Salt Spray (Fog) Testing
- A 254—79 Standard Specification for Copper-Brazed Steel Tubing
- A 266—83 Standard Specification for Forgings, Carbon Steel, for Pressure Vessel Components.

Statutory Rules—*continued*

- D 523—62T Tentative Method of Test for Specular Gloss.
- D 571—55 Standard Methods of Testing Automotive Hydraulic Brake Hose.
- D 622—65 Standard methods of testing Automotive Air Brake and Vacuum Brake Hose.

BRITISH STANDARDS

- AS B 128—1963 Australian Standard Methods for the Verification of Testing Machines
- BS AU 178—1980 Road Vehicle Safety Glass.
- AS B281—1969 Safety Devices for Gas Cylinders.
- AS B240—1966 Valve Fittings for Compressed Gas Cylinders.
- BS 857—1967 (and Amendments 1 to 4) Specification for Safety Glass for Land Transport.
- BS 1580 Parts 1 and 2—1962 Specification for Unified Screw Threads.
- BS 3463—1975 Specification for Observation and Gauge Glasses for Pressure Vessels.
- BS 5282—1975 Specification for Road Vehicle Safety Glass.

JAPANESE STANDARDS

- JIS R 3211—1985 Safety Glass for Road Vehicles.
- JIS R 3212—1985 Test Method of Safety Glass for Road Vehicles.
- AS 1210—1982 (and Amendments 1 and 2) SAA Unfired Pressure Vessels Code.
- AS 1210 Supplement No. 1 (June 1984) Class 1H Pressure Vessels of Advanced Design and Construction.
- The Tyre and Rim Association Australia 1980 Standards Manual.
- United Nations Agreement concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts (20 March 1958).

Notice of Standards required for Registration of Motor Vehicles and Trailers made pursuant to section 10 (*Government Gazette* G25, 1 July 1987), together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

Australian Design Rules for Motor Vehicles and Trailers (Third Edition).

AUSTRALIAN STANDARDS

- AS R1—1968 Safety Glass for Land Transport.
- AS CC1 Part 1—1969 SAA Wiring Rules.
- AS CB2—1960 SAA Crane and Hoist Code.
- AS CB4—1969 SAA Gas Cylinders Code.
- AS D5—1965 Seven Pin Electrical Connectors for Vehicle Trailer Jumper Cables.
- AS D8—1971 Hose Couplings for use with Vacuum and Air Pressure Braking Systems on Prime Movers, Trailers and Semi-Trailers.
- AS CB19—1963 Fire Precautions in Arc or Flame Cutting and Arc or Gas Welding Operations.
- AS CB20—1971 SAA LP Gas Code.
- AS CB22—1969 Code for Gas Cylinder Test Stations.
- AS D26—1972 Tube Fittings with Dry Seal American Standard Taper Pipe and Unified Threads.
- AS D31—1973 New Pneumatic Passenger Car Tyres.
- AS E35 Part 1—1970 Seat Belt Assemblies for Motor Vehicles.

Statutory Rules—*continued*

- AS E35 Part 2—1970 Seat Belt Assemblies (including Retractors) for Motor Vehicles.
- AS E47—1971 Webbing for Restraining Devices for Occupants of Motor Vehicles.
- AS A137—1968 Dry Chemical Type Portable Fire Extinguishers.
- AS 1110—1984 ISO Metric Hexagon Precision Bolts and Screws.
- AS 1259—1982 Sound Level Meters.
- AS 1425—1973 Use of LP Gas in Internal Combustion Engines.
- AS 1425—1982 (and Amendments 1 and 2) SAA Automotive LP Gas Code.
- AS 1432—1983 Copper Tubes for Water, Gas and Sanitation.
- AS 1572—1974 Seamless Copper and Copper Alloy Tubes for General Engineering Purposes.
- AS 1587—1973 (and Amendment 1) Methods for Measurements of Textile Fabrics.
- AS 1596—1983 (and Amendments 1 and 2) SAA LP Gas Code.
- AS 1674—1980 Fire Precautions in Cutting, Heating and Welding Operations.
- AS 1742, Part 1—1975 (and Amendments 1 to 3) Manual of Uniform Traffic Control Devices—Part 1—Description and Use of Elemental Traffic Control Devices.
- AS 1743—1975 (and Amendments 1 to 4) Road Signs.
- AS 1751—1975 Copper Brazed Steel Tubes.
- AS 1753—1983 Webbing for Restraining Devices for Occupants of Motor Vehicles.
- AS 1754—1975 (and Amendments 1 to 4) Child Restraints for Passenger Cars and Derivatives.
- AS 1771 to 1773—1975 (and Amendment 1) Fifth Wheel and Turntable Assemblies.
- AS 1869—1983 Hose and Hose Assemblies for Liquefied Petroleum Gases (LPG), Natural Gas and Town Gas.
- AS 1872—1976 Safety Chains for Trailers and Caravans.
- AS 1906 Retroreflective Materials and Devices
- Part 1—1976 (and Amendment 1) Retroreflective Materials
- Part 2—1981 Retroreflective Devices (Non-pavement Application)
- Part 3—1982 Raised Pavement Markers.
- AS 1973—1976 Retreaded Pneumatic Passenger Car Tyres.
- AS 2030—1977 (and Amendments 1 and 2) SAA Gas Cylinders Code.
- AS 2080—1983 Safety Glass for Land Vehicles.
- AS 2213—1978 50 mm Pin-Type Couplings for Trailers.
- AS 2337—1980 Gas Cylinder Test Stations.
- AS 2430 Part 1—1982 Classification of Hazardous Areas—Explosive Gas Atmospheres.
- AS 2430 Part 2—1981 Dusts (including Inherently Explosive Dusts).
- AS 2174—1978 Fifth Wheels for Articulated Vehicles.
- AS 2175 Parts 1 and 2—1978 Fifth Wheel King Pins for Semitrailers and Low Loaders.
- AS 2444—1985 Portable Fire Extinguishers—Selection and Location.
- AS 2465—1981 Unified Hexagon Bolts, Screws and Nuts (Unc and Unf Threads).
- AS 2473—1981 Valves for Compressed Gas Cylinders (Threaded Outlet).
- AS 2523—1982 Ambient Air—Determination of Sulphur Dioxide—Direct Reading, Instrumental Method.
- AS 2596—1983 Seat Belt Assemblies for Motor Vehicles.
- AS 2597 Methods of Testing Seat Belts.

Statutory Rules—*continued*

- AS 2680—1984 Acoustics—Performance Requirements for Tape Recording Equipment for Use in Acoustical Measurement Systems.
 AS 3001—1981 SAA Code for Electrical Installations of Caravans and Caravan Parks.

SAE STANDARDS

- J 527 Brazed Double Wall Low Carbon Steel Tubing.
 J 527b Brazed Double Wall Low Carbon Steel Tubing.
 J 726 Air Cleaner Test Code.
 J 826 Manikins for use in Defining Vehicle Seating Accommodation.
 J 839b Passenger Car Side Door Latch Systems.
 J 850 Barrier Collision Tests.
 J 879b Motor Vehicle Seating Systems.
 J 903a Passenger Car Windshield Wiper Systems.
 J 934 Vehicle Passenger Door Hinge Systems.
 J 941 Motor Vehicle Driver's Eye Range
 J 941a Passenger Car Driver's Eye Range.
 J 941e Motor Vehicle Driver's Eye Range
 J 944 Steering Wheel Assembly Laboratory Test Procedure.
 J 953 Passenger Car Back Light Defogging System.
 J 964 Test Procedure for Determining Reflectivity of Rear View Mirrors.
 J 985 Vision Factors Considerations in Rear View Mirror Design.
 J 1100a Motor Vehicle Dimensions.

VICTORIA GOVERNMENT GAZETTE EXTRACTS

- Extract from *Government Gazette* No. 76, 17 September 1986, page 3570,
 Exemptions from Fitting of Seat Belts.
 Extract from *Government Gazette* No. 80, 1 October 1986, page 3813,
 Exemptions from Fitting of Seat Belts.
 Extract from *Government Gazette* No. 107, 18 December 1968, page
 4089, Exemptions from Fitting of Seat Belts.

BRITISH STANDARDS

- AS B 128—1963 Australian Standard Methods for the Verification of Testing Machines.
 BS AU 178—1980 Road Vehicle Safety Glass.
 AS B 240—1966 (and Amendments 1 and 2) Valve Fittings for Compressed Gas Cylinders.
 AS B 281—1969 Safety Devices for Gas Cylinders.
 BS 857—1967 (and Amendments 1 to 4) Specification for Safety Glass for Land Transport.
 BS 1580 Parts 1 and 2—1962 Specification for Unified Screw Threads.
 BS 3463—1975 Specification for Observation and Gauge Glasses for Pressure Vessels.
 BS 5282—1975 Specification for Road Vehicle Safety Glass.

JAPANESE STANDARDS

- JIS R 3211—1985 Safety Glass for Road Vehicles.
 JIS R 3212—1985 Test Method of Safety Glass for Road Vehicles.

AMERICAN NATIONAL STANDARDS

- ANSI Z 26.1a—1980 Safety Code for Glazing Materials for Glazing Motor Vehicles Operating on Land Highways.
 D 86—67 Standard Method of Test for Distillation of Petroleum Products.
 D 86—82 Standard Method for Distillation of Petroleum Products.

Statutory Rules—*continued*

- D 93—80 Standard Test Methods for Flash Point by Pensky–Martens Closed Tester.
- D 95—62 Standard Method of Test for Water in Petroleum and other Bituminous Materials.
- B 117—73 Standard Method of Salt Spray (Fog) Testing.
- D 129—64 Standard Method of Test for Sulphur in Petroleum Products by the Bomb Method.
- D 130—68 Standard Method for Detection of Copper Corrosion from Petroleum Products by the Copper Strip Tarnish Test.
- A 254—79 Standard Specification for Copper—Brazed Steel Tubing.
- D 287—82 Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
- D 323—82 Standard Test Method for Vapour Pressure of Petroleum Products (Reid Method).
- D 445—65 Standard Method of Test for Viscosity of Transparent and Opaque Liquids (Kinematic and Dynamic Viscosities).
- D 482—63 Standard Method of Test for Ash from Petroleum Products.
- D 523—62T Tentative Method of Test for Specular Gloss.
- D 524—64 Standard Method of Test for Ramsbottom Carbon Residue of Petroleum Products.
- D 571—55 Standard Methods of Testing Automotive Hydraulic Brake Hose.
- D 611—64 Standard Method of Test for Aniline Point and Mixed Aniline Point of Petroleum Products and Hydrocarbon Solvents.
- D 613—82 Standard Test Method for Ignition Quality of Diesel Fuels by the Cetane Method.
- D 622—65 Standard Methods of Testing Automotive Air Brake and Vacuum Brake Hose.
- D 974—64 Standard Method of Test for Neutralization Number by Color Indicator Titration.
- D 976—66 Standard Methods for Calculated Cetane Index of Distillate Fuels.
- D 1266—80 Standard Test Method for Sulphur in Petroleum Products (Lamp Method).
- D 1298—67 Standard Method of Test for Density, Specific Gravity or API gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
- D 1319—84 Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Absorption.
- D 2551—80 Standard Test Method for Vapour Pressure of Petroleum Products (Micromethod).
- D 2622—82 Standard Test Method for Sulphur in Petroleum Products (X-ray Spectrographic Method).
- D 2699—80 Standard Test Method for Knock Characteristics of Motor Fuels by the Research Method.
- D 2700—80 Standard Test Method for Knock Characteristics of Motor and Aviation Fuels by the Motor Method.
- D 2785—80 Standard Test Method for Trace Quantities of Total Sulphur (Wickbold and Beckman Combustion Apparatus).
- D 3231—83 Standard Test Method for Phosphorous in Gasoline.
- D 3237—79 Standard Test Method for Lead in Gasoline by Atomic Absorption Spectrometry.

Statutory Rules—*continued*

AS 1210—1982 (and Amendments 1 and 2) SAA Unfired Pressure Vessels Code.

AS 1210 Supplement No. 1 Class 1H Pressure Vessels of Advanced Design and Construction.

Tyre and Rim Association Australia 1985 Standards Manual.

United Nations Agreement Concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts (20 March 1958).

Statutory Rule No. 165, together with copies of the following documents, which by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

Commonwealth Interstate Road Transport Regulations (S.R. No. 291/1986).

Commonwealth Interstate Road Transport Regulations (Amendment) (S.R. No. 386/1986).

Commonwealth *Interstate Road Transport Act 1985*.

AS 1973–1976 Retreaded Pneumatic Passenger Car Tyres.

Tyre and Rim Association of Australia 1986 Standards Manual.

Commonwealth *Veteran's Entitlements Act 1986* (together with amendments).

Extract from Commonwealth Repatriation Regulations—Regulation 104.

[*Note that the Notices of Standards required for Registration of Motor Vehicles and Trailers made pursuant to section 10 of the Act and tabled at this time (see entry above) are also relevant to this Statutory Rule.*]

Rural Finance Act 1958—No. 158.

Securities Industry (Application of Laws) Act 1981—No. 100, together with a copy of the Securities Industry (Victoria) Regulations, which by section 32 of the *Interpretation of Legislation Act 1984* is also required to be laid upon the Table.

Seeds Act 1982—No. 103.

State Bank Act 1958—No. 174.

State Electricity Commission Act 1958—No. 88, together with copies of the following documents, which by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

AS 1430—1986 Household Refrigerators and Freezers.

AS 2575.2—1986 Energy Consumption Labelling of Household Appliances Part 2—Refrigerators, Refrigerator/Freezers and Freezers—Labelling and Determination of Energy Consumption.

Stock (Artificial Breeding) Act 1962—Nos. 154 to 156.

Stock Diseases Act 1968—No. 104.

Stock Foods Act 1958—No. 85.

Stock Medicines Act 1958—Nos. 86 and 180.

Superannuation Act 1958—No. 90.

Supreme Court Act 1986—Nos. 132 and 166.

Teaching Service Act 1981—No. 127.

Tobacco Leaf Industry Stabilization Act 1966—No. 167.

Town and Country Planning Act 1961—No. 199.

Transport Act 1983—Nos. 94, 95, 109, 123 and 169.

Transport Accident Act 1986—Nos. 124 and 170.

Vegetation and Vine Diseases Act 1958—No. 157.

Water Act 1958—No. 91.

Swan Hill Pioneer Settlement Authority—Accounts and financial statement for the year 1985–86.

Town and Country Planning Act 1961—

- Ararat—City of Ararat Planning Scheme 1953—Amendment No. 38, 1986.
Bacchus Marsh Planning Scheme—Amendment No. 42.
Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 67.
Ballaarat—City of Ballaarat Planning Scheme—Amendments Nos. 88 and 96 to 98.
Ballarat—Shire of Ballarat Planning Scheme—Amendment No. 20.
Bass—Shire of Bass Planning Scheme—Amendment No. 33.
Benalla—City of Benalla Planning Scheme—Amendments Nos. 43A, 44 and 47.
Bendigo—City of Bendigo Planning Scheme—Amendment No. 40.
Bulla—Shire of Bulla Planning Scheme 1959—Amendments Nos. 105, 106 and 108, 1986.
Buninyong—Shire of Buninyong Planning Scheme—Amendment No. 32.
Chiltern—Shire of Chiltern Planning Scheme 1982—Amendments Nos. 2 and 3, 1986.
Club Terrace Planning Scheme—Amendment No. 5.
Cobram—Shire of Cobram Planning Scheme 1979—Amendment No. 16.
Colac—City of Colac Planning Scheme 1963—Amendment No. 24
Cranbourne—Shire of Cranbourne Planning Scheme 1960—Amendment No. 59, 1985.
Croydon—City of Croydon Planning Scheme 1961—Amendments Nos. 144, 147 and 154.
Deakin—Shire of Deakin Planning Scheme 1980—Amendment No. 4, 1986.
Echuca—City of Echuca Planning Scheme 1981—Amendment No. 1, 1985.
Eildon Reservoir Planning Scheme 1959 (Shire of Mansfield)—Amendment No. 34.
Flinders—Shire of Flinders Planning Scheme 1962—Amendments No. 195, 1985; and Nos. 204, 205, 216, 219, 223 and 226.
Geelong Regional Planning Scheme—Amendments No. 104, Part 2B; No. 110, Part 2B, 1986; No. 112, 1984; No. 143, Part 2, 1985; No. 154, Part 2, 1986; No. 169, 1986; No. 171, 1986; No. 172, 1986; No. 177, 1986; No. 178; No. 180; No. 184, Part 1, 1987; and No. 190.
Gisborne Shire Planning Scheme—Amendments No. 15, 1985; and Nos. 19, 20, 21 and 22, 1986.
Hamilton—City of Hamilton Planning Scheme—Amendment No. 26.
Hastings—Shire of Hastings Planning Scheme—Amendments No. 30, Part B; No. 30A, Part 2; No. 32; and No. 37.
Horsham—City of Horsham Planning Scheme 1982—Amendments Nos. 111, 114 and 123.
Kilmore—Shire of Kilmore Planning Scheme 1973—Amendments Nos. 62 and 64, 1986.
Knox—City of Knox Planning Scheme 1965—Amendments Nos. 287 and 289, 1986; and No. 293, 1987.
Korumburra—Shire of Korumburra Planning Scheme—Amendments No. 34, Part 1A; No. 38, 1986; No. 40, 1986; and No. 41.
Kyabram—Town of Kyabram Planning Scheme 1963—Amendment No. 36, 1986.
Lake Tyers to Cape Howe Coastal Planning Scheme—Amendment No. 21.
Lillydale—Shire of Lillydale Planning Scheme—Amendments Nos. 173, 227 and 228.
Lorne Planning Scheme—Amendment No. 11.
Melbourne Metropolitan Planning Scheme—Amendments No. 192, Part 2c (with maps); No. 236, Part 5 (with maps); No. 268, Part C (with three maps); No. 324, Part 2 (with maps); No. 369, Part 2 (with maps); No. 381,

Town and Country Planning Act 1961—*continued*

Part 3 (with maps); No. 383, Part 2 (with maps); No. 406, Part 2 (with maps); No. 428, Part 1 (with maps); No. 446; No. 447 (with maps); No. 450; No. 451 (with five maps); No. 452 (with maps); No. 454 (with maps); No. 456 (with maps); No. 459 (with thirteen maps); No. 460 (with four maps); No. 461; No. 462 (with seven maps); No. 464; No. 465 (with two maps); No. 466; No. 469 (with maps); No. 470; No. 474 (with maps); No. 475 (with maps); No. 477 (with maps); No. 478 (with three maps); and No. 480.

Mildura—City of Mildura Planning Scheme—Amendments No. 64, 1983; No. 71, 1985; No. 74, 1986; No. 76, 1986; and No. 78.

Moe—City of Moe Planning Scheme 1966—Amendments Nos. 81; 86; 94, Part A; and 99.

Mornington—Shire of Mornington Planning Scheme 1959—Amendments No. 182, Part 1; No. 182, Part 2; No. 185; No. 186; and No. 188.

Morwell—Shire of Morwell Planning Scheme 1977—Amendments No. 40, 1986; and No. 43.

Myrtleford—Shire of Myrtleford (Myrtleford Township) Planning Scheme—Amendments Nos. 12 and 14.

Newham and Woodend—Shire of Newham and Woodend Planning Scheme 1975—Amendment No. 24.

Pakenham—Shire of Pakenham Planning Scheme Part 1—Amendment No. 23.

Phillip Island Planning Scheme—Amendments No. 25, 1986; and No. 27.

Rosedale—Shire of Rosedale Planning Scheme—Amendments No. 47; No. 49; and No. 51, 1985.

Sale—City of Sale Planning Scheme 1975—Amendments No. 21, 1985; No. 28, 1986; No. 29, 1986; and No. 32.

Shepparton—City of Shepparton Planning Scheme 1953—Amendments Nos. 98, 106 and 108, 1986.

Sherbrooke—Shire of Sherbrooke Planning Scheme 1979 (Urban Areas)—Amendment No. 41.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendments No. 70, 1985; and No. 75, 1986.

Stawell—Town of Stawell Planning Scheme—Amendment No. 5.

Swan Hill—City of Swan Hill Planning Scheme 1981—Amendment No. 9, 1986.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendments Nos. 70 and 74.

Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos. 51, 71, 79, 81 and 85.

Wangaratta Sub-regional Planning Scheme (City of Wangaratta)—Amendments No. 21 and 22.

Woorayl—Shire of Woorayl Planning Scheme—Amendment No. 87.

Town and Country Planning (Transfer of Functions) Act 1985—Minister's notice of particulars of land transferred by the Melbourne and Metropolitan Board of Works.

West Moorabool Water Board—Report and statement of accounts for the year 1985–86.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council or the Administrator in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 24 February 1987.

Agricultural Acts (Amendment) Act 1987—Parts 1, 4 and 6—6 May 1987 (*Gazette* No. G17, 6 May 1987); Part 3—1 July 1987 (*Gazette* No. G21, 1 July 1987).

Ambulance Services Act 1986—Sections 1 to 14—27 May 1987 (*Gazette* No. G20, 27 May 1987); Sections 15 to 47—30 June 1987 (*Gazette* No. S29, 30 June 1987).

Bail (Amendment) Act 1986—Part 3—3 August 1987 (*Gazette* No. G24, 24 June 1987).

Business Franchise Acts (Amendment) Act 1987—28 May 1987 (*Gazette* No. S20, 28 May 1987).

Chattel Securities Act 1987—1 August 1987 (*Gazette* No. G29, 29 July 1987).

Coal Mines (Amendment) Act 1987—11 May 1987 (*Gazette* No. G17, 6 May 1987).

Constitution (British Subjects) Act 1986—27 May 1987 (*Gazette* No. G20, 27 May 1987).

Conservation, Forests and Lands Act 1987—Section 113—30 June 1987; Remaining provisions except sections 26 (7) and 30, Parts 5 and 6 and item 49.9 of Schedule 4—1 July 1987 (*Gazette* No. G24, 24 June 1987).

Corrections Act 1986—Sections 1 to 3, 5, 6, 10, 59, 60, Divisions 1, 5 and 6 of Part 8, Section 113, Schedule 1 items 2, 5 parts (2) and (5), and Schedule 2—6 May 1987 (*Gazette* No. G17, 6 May 1987).

Courts (Further Amendment) Act 1986—Parts 1, 2, 4, 5, 7 and 8—6 May 1987 (*Gazette* No. G17, 6 May 1987); Remainder of section 6, except sub-section (1) (c)—1 June 1987 (*Gazette* No. G20, 27 May 1987).

Crimes (Confiscation of Profits) Act 1986—1 August 1987 (*Gazette* No. G28, 22 July 1987).

Environment Protection (Amendment) Act 1987—Remaining provisions—1 June 1987 (*Gazette* No. G19, 20 May 1987).

Fire Authorities Act 1987—Sections 1, 2, 4, 6, 7, 9 and 13—20 May 1987; Sections 3, 5, 8, 10, 11, 12 and 14—1 July 1987 (*Gazette* No. G19, 20 May 1987).

Geelong Regional Commission (Amendment) Act 1986—Sections 5 and 6—9 June 1987 (*Gazette* No. S23, 9 June 1987).

Guardianship and Administration Board Act 1986—Remaining provisions—14 July 1987 (*Gazette* No. G26, 8 July 1987).

Industrial Relations (Amendment) Act 1986—Section 18—3 June 1987 (*Gazette* No. G21, 3 June 1987).

Industrial Relations (Miscellaneous Amendments) Act 1987—3 June 1987 (*Gazette* No. G21, 3 June 1987).

Intellectually Disabled Persons' Services Act 1986—Sections 1 to 6, 27 to 35, 51, 52, 72 to 76 and Schedules 1 and 2—1 July 1987 (*Gazette* No. G25, 1 July 1987).

Judicial Salaries Act 1987—3 June 1987 (*Gazette* No. G21, 3 June 1987).

Local Government (General Amendment) Act 1986—Sections 11, 14, 18 to 20, 26, 27, 31, 42, 43 and 50—15 June 1987 (*Gazette* No. G22, 10 June 1987).

Mental Health Act 1986—Sections 1 to 3, 21, 23 and Schedule 1—19 June 1987 (*Gazette* No. G23, 17 June 1987).

Proclamations—*continued*

- Motor Car Traders Act 1986—Sections 43 and 44—1 October 1987; Section 16, except sub-section (9)—1 January 1988; Section 16 (9)—1 April 1988; Remaining provisions except Section 53—1 August 1987 (*Gazette* No. G29, 29 July 1987).
- National Parks (Amendment) Act 1981—Section 3 (4)—24 June 1987 (*Gazette* No. G24, 24 June 1987).
- National Parks (Amendment) Act 1984—Section 4 (6)—24 June 1987 (*Gazette* No. G24, 24 June 1987).
- National Parks (Amendment) Act 1986—Section 4 (6)—24 June 1987 (*Gazette* No. G24, 24 June 1987).
- Planning Appeals (Amendment) Act 1987—1 August 1987 (*Gazette* No. G29, 29 July 1987).
- Post-Secondary Education (Amendment) Act 1987—1 July 1987 (*Gazette* No. G22, 10 June 1987).
- Public Service (Amendment) Act 1987—27 May 1987 (*Gazette* No. G20, 27 May 1987).
- Racing (Miscellaneous Amendments) Act 1986—Sections 6, 13 (a) to (u) and (w) to (z)—17 May 1987 (*Gazette* No. G18, 13 May 1987); Sections 7 and 8—1 August 1987 (*Gazette* No. G27, 15 July 1987).
- Retirement Villages Act 1986—Remaining provisions—8 June 1987 (*Gazette* No. G20, 27 May 1987).
- Road Safety Act 1986—Sections 5 to 14, 16 and 103 (3); Items 5 and 6 of Schedule 3; and Items 1 to 8, 11, 13 to 17, 18.1, 18.2, 18.6, 18.7, 18.9, 20.1, 21.1, 21.2, 21.4, 22.1, 23 to 25, 26.2 (except paragraphs (a) (i), (a) (iii), (c) and (d)), 26.3 (except paragraph (a)), 27.6 (except paragraph (a)), 26.7, 26.11, (except paragraphs (a) to (k)), 27.1, 27.2, 28.2, 28.3, 28.5 to 28.13 (except paragraphs (a) and (d)), 28.17, 28.18, 29.1 (f), 29.2 [in its application to sections 35 (1) (b), 36, 39 (1), 64 (1), 65 (1), 94 (1) (a), 94 (2) (a), 94 (13), 95, 96 (1), 96 (2) (a), 97 (1) and (3), 98, 99 (1) and (3), 100 (1), 101 (1), 102 (1) and (2), 108 (1), 109 (1), (3), (4) and (5), 110 (1) and (5), 111 (1) and (2) and 112 (1) and (2) of the *Transport Accident Act 1986*], 29.4, 29.6 (b), 29.7, 29.14 to 29.16, 29.18 and 30 of Schedule 4—1 July 1987 (*Gazette* No. S26, 25 June 1987).
- Taxation (Reciprocal Powers) Act 1987—11 June 1987 (*Gazette* No. S24, 11 June 1987).
- Transport Accident Act 1986—Section 12 (2)—13 May 1987 (*Gazette* No. G18, 13 May 1987).
- Water (Miscellaneous Amendments) Act 1986—Sections 19 and 20—1 July 1987 (*Gazette* No. G24, 24 June 1987).

* * * *

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules and Planning Schemes under the *Town and Country Planning Act 1961*, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 BUSINESS POSTPONED—Ordered—That the consideration of the Notices of Motion and Orders of the Day, General Business, be postponed until later this day.
- 8 BUDGET PAPERS 1987-88—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the following 1987-88 Budget documents:
- (a) Budget Speech (Budget Paper No. 1);
 - (b) Budget Strategy and Review (Budget Paper No. 2);

- (c) Estimates of the Expenditure requiring Annual Appropriation (as included in Budget Paper No. 3);
- (d) Consolidated Fund Receipts (Budget Paper No. 4); and
- (e) Budget Summary and Program Budget Expenditures (Budget Paper No. 5).

Question—put and resolved in the affirmative.

The said Papers were thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable D. R. White moved, by leave, That the Papers tabled pursuant to the foregoing Order be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 9 **CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 10 **FISHERIES (AMENDMENT) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable J. E. Kirner moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.

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

Bill read a second time and, by leave, read a third time and passed.

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

- 13 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 and 8, be postponed until later this day.

- 14 **LORD MAYOR'S COMMUNITY AID BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable M. A. Lyster 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 **GOVERNMENT SCHOOL SYSTEM**—The Order of the Day having been read for the resumption of the debate on the motion condemning the Government for radical changes resulting in lack of public confidence and calling for urgent remedial action (for motion see p. 47 *ante*)—

Debate resumed.

The Honourable R. I. Knowles 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 **PORT MELBOURNE AND ST KILDA RAILWAY**—The Honourable J. V. C. Guest moved, That this House expresses its concern that the Government's plan to close the Port Melbourne and St. Kilda railway lines which at present terminate and allow connections at Flinders Street Station and to replace them with a North-South light rail route through Bourke Street is to proceed without adequate attention to the preferences of public transport users and to the evidence relevant to the decision to implement the change.

Debate ensued.

The Honourable B. T. Pullen 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 **RESIDENTIAL TENANCIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable J. G. Miles 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.

- 18 **PSYCHOLOGISTS REGISTRATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable R. I. Knowles (for the Honourable M. A. Birrell) 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 **PROPERTY LAW (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable 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 Wednesday, 26 August 1987.

- 20 **VICTORIAN ARTS CENTRE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian Arts Centre Act 1979'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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 **VICTORIA STATE EMERGENCY SERVICE BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to reconstitute the Victoria State Emergency Service and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.45 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 VICTORIAN ARTS CENTRE (AMENDMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading.
- *2 VICTORIA STATE EMERGENCY SERVICE BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- *3 RESIDENTIAL TENANCIES (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. J. G. Miles).
- *4 PSYCHOLOGISTS REGISTRATION BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 5 CRIMES (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 6 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).
- 7 HEALTH (CHILDREN'S SERVICES) BILL—(Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 8 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 9 BUILDING CONTROL (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- *10 BUDGET PAPERS, 1987-88—To be considered.
- 11 DE FACTO RELATIONSHIPS BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

* Indicates new entry.

- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on the Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing

Public Works
Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs
Conservation, Forests and Lands
Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs
Health
Community Services
Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall

not both be held by Government members or non-Government members of the Committee.

- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
 - (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
 - (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;

- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information

available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.

- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 **THE HON. J. V. C. GUEST**—To move, That the following be adopted as a Standing Order of the Legislative Council:

307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.

(2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.

(3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

(a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and

(b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 **THE HON. J. V. C. GUEST**—To move, That until the end of the Session—

(a) There shall be appointed an Estimates Committee.

(b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.

(c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.

(d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.

- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

9 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and

(b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

*10 THE HON. B. A. CHAMBERLAIN—To move, That a Joint Select Committee be appointed to inquire into and report upon the Annual Estimates of Receipts and Payments and any Additional or Supplementary Estimates of Receipts and Payments presented to the Houses and referred for examination from time to time.

That the Committee may in addition inquire into and report as it thinks fit on the efficiency, effectiveness and economy of the administration of particular programs and items of expenditure contained in Appropriation Bills or on any other matter arising out of the Estimates or Budget Papers.

Priority to Parliamentary References

That the Committee shall give priority to such investigations referred to it by resolution of the Assembly and the Council.

Time Period for Reporting

That a resolution referring Estimates or other matters to the Committee for examination shall fix a day by which the Committee shall report its findings to the Houses.

Membership

That the Committee shall consist of 12 members, comprising not more than 9 Members of the Assembly and not more than 5 Members of the Council.

Quorum

That six members of the Committee shall constitute a quorum of the Committee.

Chairman

That the Committee shall elect one of the Government members of the Committee to be Chairman.

That the Chairman shall have a deliberative vote and, in the event of an equality of votes, shall have a casting vote.

Deputy Chairman

That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.

Sitting Times and Places

That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.

That the Committee may sit and transact business while either House or both Houses are sitting provided that it obtains leave from the House or Houses to do so and that it meets within the Parliament Building.

Substitution of Members

That a member of the Committee may appoint by proxy another member in substitution provided that notice is given to the Chairman of the Committee, or the Deputy Chairman if the Chairman of the Committee is not present at the meeting, before the meeting commences and that the member so appointed indicates his or her concurrence to serve.

Participation of Non-Members

That members of either House, not being members of the Committee, may participate at the discretion of the Chairman in the proceedings of the Committee or any sub-committee when examining the Annual and Supplementary Estimates and Budget Papers, but shall not vote, move any motion or be counted for the purpose of a quorum.

Sub-Committees

That the Committee may appoint sub-committees of not less than four members of the Committee. A member of each sub-committee shall be appointed by the Committee as Chairman of the sub-committee.

That the Chairman of any sub-committee so appointed shall have a deliberative and, in the event of an equality of votes, a casting vote.

That a quorum shall comprise one-half of the number of sub-committee members.

That a sub-committee shall consider and report to the Committee on any matter or thing the Committee refers to it.

Procedure of the Committee and its Sub-Committees

That the Committee and its sub-committees may ask for explanations from Ministers of State from either House, and from public servants and other relevant persons relating to items of proposed expenditure.

That the Committee may send for persons, papers and records.

That the Committee shall unless it otherwise resolves take all evidence in public.

That the Committee shall keep a record of all evidence given before it and determinations made by it.

That the Committee have the power to authorise publication of any evidence given before it in public and any document presented to it.

Use of Consultancy Services

That the Committee may, with the prior approval of the Treasurer, commission any person or persons to investigate and report to the Committee on any aspect of a proposal, matter or thing being inquired into or being considered by the Committee.

Discussion Papers/Reports

That the Committee may publish discussion papers and present interim reports to the Parliament prior to any final report to the Parliament on any proposal matter or thing.

That reports of the Committee may recommend matters for further investigation by a joint investigatory committee appointed under the *Parliamentary Committees Act 1968*.

That Committee reports may incorporate a minority report from any member or members of the Committee.

Payment of Members

That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

Hansard

That a *Hansard* report of the Committee's or a sub-committee's proceedings in public when examining the Annual or Supplementary Estimates and Budget Papers shall be circulated, in a manner similar to the daily *Hansard* of the Houses, as soon as practicable after completion of each day's proceedings.

Conflict with Standing Orders

That the foregoing provisions of this resolution so far as they are inconsistent with the Standing Orders and Practices of the Houses shall have effect notwithstanding anything contained in those Standing Orders.

- *11 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- *12 **THE HON. D. M. EVANS**—To move, That this House expresses concern that the Government continues to lose revenue and potential export income, damage the environment and reduce employment opportunities by not issuing licences for processing all the economically viable forest residues remaining after logging operations.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 4 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 5 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 6 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 7 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. R. I. Knowles).*
- 8 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 9 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. M. J. Sandon).*
- 10 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 11 **SPECIAL ACCOMMODATION HOUSES REVIEW—MINISTERIAL STATEMENT**—To be considered.
- 12 **BUSH NURSING SERVICES—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT**—To be considered.

- 13 **OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.**
- 14 **GROCERY PRICES ACT 1987—ORDER IN COUNCIL DATED 28 APRIL 1987 DECLARING CERTAIN ITEMS TO BE BASIC GROCERY ITEMS—To be considered.**
- 15 **LIQUOR CONTROL COMMISSION REPORT, 1985-86—To be considered.**
- 16 **ROAD SAFETY (PROCEDURES) (AMENDMENT) REGULATIONS 1987 (S.R. No. 83)—To be considered.**
- *17 **DANGEROUS GOODS ACT 1985—REPORT ON ADMINISTRATION AND OPERATION, 1985-86—To be considered.**
- *18 **DEAKIN UNIVERSITY REPORTS, 1983, 1984 AND 1985—To be considered.**
- *19 **DRIED FRUITS BOARD REPORT, 1986—To be considered.**
- *20 **MELBOURNE AREA—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—To be considered.**
- *21 **LAW FOUNDATION REPORT, 1985-86—To be considered.**
- *22 **MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1985—To be considered.**
- *23 **MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1985—To be considered.**
- *24 **PARLIAMENTARY OFFICERS ACT 1975—STATEMENTS, 1986-87—To be considered.**
- *25 **POLICE SERVICE BOARD—DETERMINATIONS Nos. 472 TO 475 AND No. 5 FOR POLICE RECRUITS—To be considered.**
- *26 **PRISON INDUSTRIES COMMISSION REPORT, 1985-86—To be considered.**
- *27 **PUBLIC OFFICES CORPORATION REPORT, 1985—To be considered.**
- *28 **RIVER MURRAY COMMISSION REPORT, 1985-86—To be considered.**
- *29 **ROAD SAFETY ACT 1986—ORDER IN COUNCIL DECLARING CERTAIN VEHICLES TO BE TRACTORS FOR PURPOSES OF THE ACT—To be considered.**
- *30 **SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1985-86—To be considered.**
- *31 **TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) ACT 1985—MINISTER'S NOTICE OF PARTICULARS OF LAND TRANSFERRED BY THE MELBOURNE AND METROPOLITAN BOARD OF WORKS—To be considered.**
- *32 **WEST MOORABOOL WATER BOARD REPORT, 1985-86—To be considered.**
- *33 **PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. T. Pullen).**

WEDNESDAY, 26 AUGUST
GOVERNMENT BUSINESS

ORDER OF THE DAY

- *1 **PROPERTY LAW (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare;
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the

allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

- (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on the Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing
 - Public Works
 - Property and Services.
 - (e) The Standing Committee on Primary Industry and Resources:
 - Agriculture and Rural Affairs
 - Conservation, Forests and Lands
 - Water Resources.
 - (f) The Standing Committee on Health and Welfare:
 - Aboriginal Affairs
 - Health
 - Community Services
 - Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
 - (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
 - 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
 - 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
 - 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.

- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8
 - (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
 - (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9
 - (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
 - (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
 - (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.

- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigative Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
 - (h) in the preparation and presentation of its report shall make such

provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.

19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise

be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 **THE HON. J. V. C. GUEST**—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.

- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

9 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

10 THE HON. B. A. CHAMBERLAIN—To move, That a Joint Select Committee be appointed to inquire into and report upon the Annual Estimates of Receipts and Payments and any Additional or Supplementary Estimates of Receipts and Payments presented to the Houses and referred for examination from time to time.

That the Committee may in addition inquire into and report as it thinks fit on the efficiency, effectiveness and economy of the administration of particular programs and items of expenditure contained in Appropriation Bills or on any other matter arising out of the Estimates or Budget Papers.

Priority to Parliamentary References

That the Committee shall give priority to such investigations referred to it by resolution of the Assembly and the Council.

Time Period for Reporting

That a resolution referring Estimates or other matters to the Committee for examination shall fix a day by which the Committee shall report its findings to the Houses.

Membership

That the Committee shall consist of 12 members, comprising not more than 9 Members of the Assembly and not more than 5 Members of the Council.

Quorum

That six members of the Committee shall constitute a quorum of the Committee.

Chairman

That the Committee shall elect one of the Government members of the Committee to be Chairman.

That the Chairman shall have a deliberative vote and, in the event of an equality of votes, shall have a casting vote.

Deputy Chairman

That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.

Sitting Times and Places

That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.

That the Committee may sit and transact business while either House or both Houses are sitting provided that it obtains leave from the House or Houses to do so and that it meets within the Parliament Building.

Substitution of Members

That a member of the Committee may appoint by proxy another member in substitution provided that notice is given to the Chairman of the Committee, or the Deputy Chairman if the Chairman of the Committee is not present at the meeting, before the meeting commences and that the member so appointed indicates his or her concurrence to serve.

Participation of Non-Members

That members of either House, not being members of the Committee, may participate at the discretion of the Chairman in the proceedings of the Committee or any sub-committee when examining the Annual and Supplementary Estimates and Budget Papers, but shall not vote, move any motion or be counted for the purpose of a quorum.

Sub-Committees

That the Committee may appoint sub-committees of not less than four members of the Committee. A member of each sub-committee shall be appointed by the Committee as Chairman of the sub-committee.

That the Chairman of any sub-committee so appointed shall have a deliberative and, in the event of an equality of votes, a casting vote.

That a quorum shall comprise one-half of the number of sub-committee members.

That a sub-committee shall consider and report to the Committee on any matter or thing the Committee refers to it.

Procedure of the Committee and its Sub-Committees

That the Committee and its sub-committees may ask for explanations from Ministers of State from either House, and from public servants and other relevant persons relating to items of proposed expenditure.

That the Committee may send for persons, papers and records.

That the Committee shall unless it otherwise resolves take all evidence in public.

That the Committee shall keep a record of all evidence given before it and determinations made by it.

That the Committee have the power to authorise publication of any evidence given before it in public and any document presented to it.

Use of Consultancy Services

That the Committee may, with the prior approval of the Treasurer, commission any person or persons to investigate and report to the Committee on any aspect of a proposal, matter or thing being inquired into or being considered by the Committee.

Discussion Papers/Reports

That the Committee may publish discussion papers and present interim reports to the Parliament prior to any final report to the Parliament on any proposal matter or thing.

That reports of the Committee may recommend matters for further investigation by a joint investigatory committee appointed under the *Parliamentary Committees Act 1968*.

That Committee reports may incorporate a minority report from any member or members of the Committee.

Payment of Members

That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

Hansard

That a *Hansard* report of the Committee's or a sub-committee's proceedings in public when examining the Annual or Supplementary Estimates and Budget Papers shall be circulated, in a manner similar to the daily *Hansard* of the Houses, as soon as practicable after completion of each day's proceedings.

Conflict with Standing Orders

That the foregoing provisions of this resolution so far as they are inconsistent with the Standing Orders and Practices of the Houses shall have effect notwithstanding anything contained in those Standing Orders.

- 11 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 12 THE HON. D. M. EVANS—To move, That this House expresses concern that the Government continues to lose revenue and potential export income, damage the environment and reduce employment opportunities by not issuing licences for processing all the economically viable forest residues remaining after logging operations.
- *13 THE HON. B. A. CHAMBERLAIN—To move, That this House condemns the Government for the method of selling leased government land on which substantial improvements have been erected by tenants, and calls on the Government to grant to tenants the first right to purchase such land at Valuer-General's valuation, subject to the usual safeguards.
- *14 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—
Second reading—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second
reading.
- 3 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—
Resumption of debate. (*Hon. Evan Walker*).
- 4 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in
view of burden on wages system and certain income earners—(*Hon. B. T.
Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 5 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note
of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M.
Wright*).
- 6 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—
Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—
Resumption of debate. (*Hon. J. V. C. Guest*).
- 7 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for
radical changes resulting in lack of public confidence and calling for urgent
remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I.
Knowles*).
- 8 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be
considered.
- 9 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff
and expressing alarm at policy to sell off, despite opposition from rural
school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon.
M. J. Sandon*).
- 10 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND
RELATED MINISTERIAL STATEMENT**—Motion to take note of response
and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P.
Dunn*).
- 11 **SPECIAL ACCOMMODATION HOUSES REVIEW—MINISTERIAL STATEMENT**—
To be considered.
- 12 **BUSH NURSING SERVICES—ECONOMIC AND BUDGET REVIEW COMMITTEE'S
REPORT**—To be considered.
- 13 **OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S
FINAL REPORT**—To be considered.
- 14 **GROCERY PRICES ACT 1987—ORDER IN COUNCIL DATED 28 APRIL 1987
DECLARING CERTAIN ITEMS TO BE BASIC GROCERY ITEMS**—To be
considered.
- 15 **LIQUOR CONTROL COMMISSION REPORT, 1985-86**—To be considered.
- 16 **ROAD SAFETY (PROCEDURES) (AMENDMENT) REGULATIONS 1987 (S.R. No.
83)**—To be considered.
- 17 **DANGEROUS GOODS ACT 1985—REPORT ON ADMINISTRATION AND
OPERATION, 1985-86**—To be considered.
- 18 **DEAKIN UNIVERSITY REPORTS, 1983, 1984 AND 1985**—To be considered.
- 19 **DRIED FRUITS BOARD REPORT, 1986**—To be considered.
- 20 **MELBOURNE AREA—LAND CONSERVATION COUNCIL'S FINAL
RECOMMENDATIONS**—To be considered.

- 21 LAW FOUNDATION REPORT, 1985-86—To be considered.
- 22 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1985—To be considered.
- 23 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1985—To be considered.
- 24 PARLIAMENTARY OFFICERS ACT 1975—STATEMENTS, 1986-87—To be considered.
- 25 POLICE SERVICE BOARD—DETERMINATIONS Nos. 472 TO 475 AND No. 5 FOR POLICE RECRUITS—To be considered.
- 26 PRISON INDUSTRIES COMMISSION REPORT, 1985-86—To be considered.
- 27 PUBLIC OFFICES CORPORATION REPORT, 1985-86—To be considered.
- 28 RIVER MURRAY COMMISSION REPORT, 1985-86—To be considered.
- 29 ROAD SAFETY ACT 1986—ORDER IN COUNCIL DECLARING CERTAIN VEHICLES TO BE TRACTORS FOR PURPOSES OF THE ACT—To be considered.
- 30 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1985-86—To be considered.
- 31 TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) ACT 1985—MINISTER'S NOTICE OF PARTICULARS OF LAND TRANSFERRED BY THE MELBOURNE AND METROPOLITAN BOARD OF WORKS—To be considered.
- 32 WEST MOORABOOL WATER BOARD REPORT, 1985-86—To be considered.
- 33 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- *34 EDUCATION (SCHOOL COUNCIL POLICIES) BILL—(*Hon. Haddon Storey*)—Second reading.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 VICTORIAN ARTS CENTRE (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 2 VICTORIA STATE EMERGENCY SERVICE BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. N. B. Reid*).
- 3 RESIDENTIAL TENANCIES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. J. G. Miles*).
- 4 CRIMES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 5 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Lyster*).
- 6 HEALTH (CHILDREN'S SERVICES) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 8 BUILDING CONTROL (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 9 DE FACTO RELATIONSHIPS BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

TUESDAY, 25 AUGUST
GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **SURVEY CO-ORDINATION (AMENDMENT) BILL**—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- *2 **ADOPTION (AMENDMENT) BILL**—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*

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WEDNESDAY, 26 AUGUST
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **PROPERTY LAW (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

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TUESDAY, 1 SEPTEMBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **BUDGET PAPERS, 1987-88**—Motion to take note of papers—(*Hon. D. R. White*)—*Resumption of debate. (Hon. J. V. C. Guest).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 20 and 21

No. 20—Tuesday, 18 August 1987

- 1 The President took the Chair and read the Prayer.
- 2 **SURVEY CO-ORDINATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Survey Co-ordination Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), 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 **EQUAL OPPORTUNITY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Equal Opportunity Act 1984' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), 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—PUBLIC HOSPITALS**—The Honourable M. A. Birrell presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals.
Ordered to lie on the Table.
- 5 **ADOPTION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable C. J. Hogg, leave was given to bring in a Bill to amend the *Adoption Act 1984* 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 **EDUCATION (SCHOOL COUNCIL POLICIES) BILL**—On the motion (by leave without notice) of the Honourable Haddon Storey, leave was given to bring in a Bill to amend the *Education 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 **PAPERS—**

LEGAL AND CONSTITUTIONAL COMMITTEE—INTERPRETATION OF LEGISLATION ACT—The Honourable Haddon Storey presented the Third Report from the Legal and Constitutional Committee on the operation of Section 32 of the *Interpretation of Legislation Act 1984* (S.R. 180/1986), together with an Appendix.

Ordered to lie on the Table and to be printed.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts of Parliament:

Magistrates' Courts Act 1971—Magistrates (Summary Proceedings) Act 1975—No. 210.

National Parks Act 1975—No. 205.

Professional Boxing Control Act 1985—No. 206.

Racing Act 1958—No. 208.

Road Safety Act 1986—No. 209.

Sport and Recreation Act 1972—No. 207.

- 8 **VICTORIAN ARTS CENTRE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain (for the Honourable J. V. C. Guest) 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 **VICTORIA STATE EMERGENCY SERVICE BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable R. Lawson (for the Honourable N. B. Reid) 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 **SURVEY CO-ORDINATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable 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 Tuesday next.

- 11 **EQUAL OPPORTUNITY (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and, by leave, 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.

- 12 **ADOPTION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable R. I. Knowles 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

- 14 **PSYCHOLOGISTS REGISTRATION BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable M. J. Arnold 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.

15 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 9 inclusive, be postponed until later this day.

16 **BUDGET PAPERS, 1987-88**—The Order of the Day having been read for the consideration of these Papers, the Honourable D. R. White moved, That the Council take note of the Budget Papers, 1987-88.

Debate ensued.

The Honourable J. V. C. Guest 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, 1 September 1987.

17 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 5.30 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 21—Wednesday, 19 August 1987

1 The President took the Chair and read the Prayer.

2 **LITTER BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make provision with respect to litter, to repeal the ‘Litter Act 1964’ and for other purposes*” and desiring the concurrence of the Council therein.

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

3 **PAPER PURSUANT TO STATUTE**—The following Paper, pursuant to the direction of an Act of Parliament, was laid upon the Table by the Clerk:

Statutory Rule under the Public Service Act 1974—PSD No. 33.

4 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, and Orders of the Day, General Business, Nos. 1 to 33 inclusive, be postponed until later this day.

5 **EDUCATION (SCHOOL COUNCIL POLICIES) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Haddon Storey moved, That this Bill be now read a second time.

The Honourable 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.

- 6 **GOVERNMENT LAND**—The Honourable B. A. Chamberlain moved, That this House condemns the Government for the method of selling leased government land on which substantial improvements have been erected by tenants, and calls on the Government to grant to tenants the first right to purchase such land at Valuer-General's valuation, subject to the usual safeguards.

Debate ensued.

The Honourable D. R. White 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.

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

- 8 **CRIMES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **RESIDENTIAL TENANCIES (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable D. M. Evans (for the Honourable 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 later this day.

- 10 **VICTORIAN ARTS CENTRE (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **LITTER BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable Marie Tehan 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.

- 13 **DE FACTO RELATIONSHIPS BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable J. H. Kennan moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 14 **ADJOURNMENT**—The Honourable J. H. Kennan moved, That the Council, at its rising, adjourn until Tuesday, 1 September 1987.

Question—put and resolved in the affirmative.

And then the Council, at 9.37 p.m., adjourned until Tuesday, 1 September 1987.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 RESIDENTIAL TENANCIES (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. W. R. Baxter).
- 2 PROPERTY LAW (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- *3 LITTER BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—resumption of debate. (Hon. Marie Tehan).
- 4 VICTORIA STATE EMERGENCY SERVICE BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 5 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).
- 6 SURVEY CO-ORDINATION (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. J. Long).
- 7 ADOPTION (AMENDMENT) BILL—(Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 8 HEALTH (CHILDREN'S SERVICES) BILL—(Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 9 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 10 BUILDING CONTROL (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 11 BUDGET PAPERS, 1987-88—Motion to take note of papers—(Hon. D. R. White)—Resumption of debate. (Hon. J. V. C. Guest).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

* Indicates new entry.

- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on the Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing

Public Works
Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs
Conservation, Forests and Lands
Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs
Health
Community Services
Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall

not both be held by Government members or non-Government members of the Committee.

- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.

10 In addition to its power and duty to consider any matter referred to it on motion by the Council—

- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
- (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.

11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.

12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;

- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information

available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.

- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
 - (3) The quorum of the Committee shall be three.
 - (4) The Staffing and Appropriations Committee:
 - (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at

any time when the Chairman is not present at a meeting of the Committee.

- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

9 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding

as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

- 10 THE HON. B. A. CHAMBERLAIN—To move, That a Joint Select Committee be appointed to inquire into and report upon the Annual Estimates of Receipts and Payments and any Additional or Supplementary Estimates of Receipts and Payments presented to the Houses and referred for examination from time to time.

That the Committee may in addition inquire into and report as it thinks fit on the efficiency, effectiveness and economy of the administration of particular programs and items of expenditure contained in Appropriation Bills or on any other matter arising out of the Estimates or Budget Papers.

Priority to Parliamentary References

That the Committee shall give priority to such investigations referred to it by resolution of the Assembly and the Council.

Time Period for Reporting

That a resolution referring Estimates or other matters to the Committee for examination shall fix a day by which the Committee shall report its findings to the Houses.

Membership

That the Committee shall consist of 12 members, comprising not more than 9 Members of the Assembly and not more than 5 Members of the Council.

Quorum

That six members of the Committee shall constitute a quorum of the Committee.

Chairman

That the Committee shall elect one of the Government members of the Committee to be Chairman.

That the Chairman shall have a deliberative vote and, in the event of an equality of votes, shall have a casting vote.

Deputy Chairman

That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.

Sitting Times and Places

That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.

That the Committee may sit and transact business while either House or both Houses are sitting provided that it obtains leave from the House or Houses to do so and that it meets within the Parliament Building.

Substitution of Members

That a member of the Committee may appoint by proxy another member in substitution provided that notice is given to the Chairman of the Committee, or the Deputy Chairman if the Chairman of the Committee is not present at the meeting, before the meeting commences and that the member so appointed indicates his or her concurrence to serve.

Participation of Non-Members

That members of either House, not being members of the Committee, may participate at the discretion of the Chairman in the proceedings of the Committee or any sub-committee when examining the Annual and Supplementary Estimates and Budget Papers, but shall not vote, move any motion or be counted for the purpose of a quorum.

Sub-Committees

That the Committee may appoint sub-committees of not less than four members of the Committee. A member of each sub-committee shall be appointed by the Committee as Chairman of the sub-committee.

That the Chairman of any sub-committee so appointed shall have a deliberative and, in the event of an equality of votes, a casting vote.

That a quorum shall comprise one-half of the number of sub-committee members.

That a sub-committee shall consider and report to the Committee on any matter or thing the Committee refers to it.

Procedure of the Committee and its Sub-Committees

That the Committee and its sub-committees may ask for explanations from Ministers of State from either House, and from public servants and other relevant persons relating to items of proposed expenditure.

That the Committee may send for persons, papers and records.

That the Committee shall unless it otherwise resolves take all evidence in public.

That the Committee shall keep a record of all evidence given before it and determinations made by it.

That the Committee have the power to authorise publication of any evidence given before it in public and any document presented to it.

Use of Consultancy Services

That the Committee may, with the prior approval of the Treasurer, commission any person or persons to investigate and report to the Committee on any aspect of a proposal, matter or thing being inquired into or being considered by the Committee.

Discussion Papers/Reports

That the Committee may publish discussion papers and present interim reports to the Parliament prior to any final report to the Parliament on any proposal matter or thing.

That reports of the Committee may recommend matters for further investigation by a joint investigatory committee appointed under the *Parliamentary Committees Act 1968*.

That Committee reports may incorporate a minority report from any member or members of the Committee.

Payment of Members

That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

Hansard

That a *Hansard* report of the Committee's or a sub-committee's proceedings in public when examining the Annual or Supplementary Estimates and Budget Papers shall be circulated, in a manner similar to the daily *Hansard* of the Houses, as soon as practicable after completion of each day's proceedings.

Conflict with Standing Orders

That the foregoing provisions of this resolution so far as they are inconsistent with the Standing Orders and Practices of the Houses shall have effect notwithstanding anything contained in those Standing Orders.

- 11 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 12 **THE HON. D. M. EVANS**—To move, That this House expresses concern that the Government continues to lose revenue and potential export income, damage the environment and reduce employment opportunities by not issuing licences for processing all the economically viable forest residues remaining after logging operations.
- 13 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.

ORDERS OF THE DAY

- 1 **POLICE (POWERS OF INVESTIGATION) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 2 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 3 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 4 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 5 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 6 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 7 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. R. I. Knowles).*
- 8 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 9 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. M. J. Sandon).*

- 10 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 11 BUSH NURSING SERVICES—ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 12 OPTIONS FOR DYING WITH DIGNITY—SOCIAL DEVELOPMENT COMMITTEE'S FINAL REPORT—To be considered.
- 13 GROCERY PRICES ACT 1987—ORDER IN COUNCIL DATED 28 APRIL 1987 DECLARING CERTAIN ITEMS TO BE BASIC GROCERY ITEMS—To be considered.
- 14 LIQUOR CONTROL COMMISSION REPORT, 1985-86—To be considered.
- 15 ROAD SAFETY (PROCEDURES) (AMENDMENT) REGULATIONS 1987 (S.R. No. 83)—To be considered.
- 16 DANGEROUS GOODS ACT 1985—REPORT ON ADMINISTRATION AND OPERATION, 1985-86—To be considered.
- 17 DEAKIN UNIVERSITY REPORTS, 1983, 1984 AND 1985—To be considered.
- 18 DRIED FRUITS BOARD REPORT, 1986—To be considered.
- 19 MELBOURNE AREA—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—To be considered.
- 20 LAW FOUNDATION REPORT, 1985-86—To be considered.
- 21 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1985—To be considered.
- 22 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1985—To be considered.
- 23 PARLIAMENTARY OFFICERS ACT 1975—STATEMENTS, 1986-87—To be considered.
- 24 POLICE SERVICE BOARD—DETERMINATIONS Nos. 472 TO 475 AND No. 5 FOR POLICE RECRUITS—To be considered.
- 25 PRISON INDUSTRIES COMMISSION REPORT, 1985-86—To be considered.
- 26 PUBLIC OFFICES CORPORATION REPORT, 1985-86—To be considered.
- 27 RIVER MURRAY COMMISSION REPORT, 1985-86—To be considered.
- 28 ROAD SAFETY ACT 1986—ORDER IN COUNCIL DECLARING CERTAIN VEHICLES TO BE TRACTORS FOR PURPOSES OF THE ACT—To be considered.
- 29 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1985-86—To be considered.
- 30 TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) ACT 1985—MINISTER'S NOTICE OF PARTICULARS OF LAND TRANSFERRED BY THE MELBOURNE AND METROPOLITAN BOARD OF WORKS—To be considered.
- 31 WEST MOORABOOL WATER BOARD REPORT, 1985-86—To be considered.
- 32 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 33 EDUCATION (SCHOOL COUNCIL POLICIES) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).

*34 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. D. R. White).*

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 THE HON. J. V. C. GUEST—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare;
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the

allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

(a) The Standing Committee on the Economy and Government:

Parliament
Premier and Cabinet
Public Service Board
Management and Budget
Industry, Technology and Resources.

(b) The Standing Committee on Education and Employment:

Education
Labour
Arts
Sport and Recreation.

(c) The Standing Committee on Law and Local Government:

Law
Local Government
Police and Emergency Services
Consumer Affairs.

(d) The Standing Committee on the Environment and Transport:

Planning and Environment
Transport
Housing
Public Works
Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs
Conservation, Forests and Lands
Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs
Health
Community Services
Ethnic Affairs.

3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.

(b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.

4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.

5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.

6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.

- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
(b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
(b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
(c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
(d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
10. In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.

- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
 - (h) in the preparation and presentation of its report shall make such

provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.

19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise

be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.

(2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.

(3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. J. V. C. GUEST—To move, That until the end of the Session—

- (a) There shall be appointed an Estimates Committee.
- (b) The Estimates Committee shall consist of six members of whom three shall be appointed at any time by the Leader of the Government, by lodgment of the names with the President, two shall be appointed by the Leader of the Opposition and one shall be appointed by the Leader of the National Party.
- (c) The Committee shall examine, inquire into, consider and report to the House on the annual estimates and any additional or supplementary estimates of receipts and payments of the Consolidated Fund and other Budget papers and on any matter arising out of the estimates or Budget papers.
- (d) The Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (e) The Committee shall elect a Deputy-Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (f) The Chairman, or the Deputy-Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of voting, a casting vote.
- (g) Three members of the Committee shall constitute a quorum.
- (h) A member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (i) The Committee shall sit in open session, unless otherwise ordered, may sit during any adjournment or suspension of the Council, and may adjourn from time to time.
- (j) The Committee shall not meet while the Legislative Council is actually sitting, unless by special order of the Council.
- (k) The Committee may ask for explanations from—
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) with the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) public servants and other relevant officers.
- (l) Reports of the Committee may be presented to the Council from time to time and, if considered necessary, may propose the further consideration of any particular items. A reservation by any member of the Committee may be added to any report.
- (m) The presentation of a Report or Interim Report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.

- (n) Unless otherwise ordered, Reports from the Committee shall be received by the Council without debate and their consideration deferred until consideration of the next relevant Appropriation or Supply Bill.
- (o) A *Hansard* report of Committee proceedings shall be circulated, in manner similar to the daily Legislative Council *Hansard*, as soon as practicable after each day's proceedings.
- (p) In the event of any inconsistency between this Order and the Standing Orders or practice of the House, the provisions of this Order shall prevail.
- (q) The Chairman of the Committee shall be a member of the Opposition or of the National Party chosen by the members of the Committee who are members of the Opposition or of the National Party.
- (r) The Committee shall have power to send for persons, papers and records.
- (s) Subject to any resolution of the House or the Committee the Chairman may summon a meeting of the Committee on not less than two working days notice by telegram or letter or otherwise with the consent of an absolute majority of the actual membership of the Committee.

9 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

10 THE HON. B. A. CHAMBERLAIN—To move, That a Joint Select Committee be appointed to inquire into and report upon the Annual Estimates of Receipts and Payments and any Additional or Supplementary Estimates of Receipts and Payments presented to the Houses and referred for examination from time to time.

That the Committee may in addition inquire into and report as it thinks fit on the efficiency, effectiveness and economy of the administration of particular programs and items of expenditure contained in Appropriation Bills or on any other matter arising out of the Estimates or Budget Papers.

Priority to Parliamentary References

That the Committee shall give priority to such investigations referred to it by resolution of the Assembly and the Council.

Time Period for Reporting

That a resolution referring Estimates or other matters to the Committee for examination shall fix a day by which the Committee shall report its findings to the Houses.

Membership

That the Committee shall consist of 12 members, comprising not more than 9 Members of the Assembly and not more than 5 Members of the Council.

Quorum

That six members of the Committee shall constitute a quorum of the Committee.

Chairman

That the Committee shall elect one of the Government members of the Committee to be Chairman.

That the Chairman shall have a deliberative vote and, in the event of an equality of votes, shall have a casting vote.

Deputy Chairman

That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.

Sitting Times and Places

That the Committee may sit at such times and in such places in Victoria or elsewhere as seems most convenient for the proper and speedy despatch of business.

That the Committee may sit and transact business while either House or both Houses are sitting provided that it obtains leave from the House or Houses to do so and that it meets within the Parliament Building.

Substitution of Members

That a member of the Committee may appoint by proxy another member in substitution provided that notice is given to the Chairman of the Committee, or the Deputy Chairman if the Chairman of the Committee is not present at the meeting, before the meeting commences and that the member so appointed indicates his or her concurrence to serve.

Participation of Non-Members

That members of either House, not being members of the Committee, may participate at the discretion of the Chairman in the proceedings of the Committee or any sub-committee when examining the Annual and Supplementary Estimates and Budget Papers, but shall not vote, move any motion or be counted for the purpose of a quorum.

Sub-Committees

That the Committee may appoint sub-committees of not less than four members of the Committee. A member of each sub-committee shall be appointed by the Committee as Chairman of the sub-committee.

That the Chairman of any sub-committee so appointed shall have a deliberative and, in the event of an equality of votes, a casting vote.

That a quorum shall comprise one-half of the number of sub-committee members.

That a sub-committee shall consider and report to the Committee on any matter or thing the Committee refers to it.

Procedure of the Committee and its Sub-Committees

That the Committee and its sub-committees may ask for explanations from Ministers of State from either House, and from public servants and other relevant persons relating to items of proposed expenditure.

That the Committee may send for persons, papers and records.

That the Committee shall unless it otherwise resolves take all evidence in public.

That the Committee shall keep a record of all evidence given before it and determinations made by it.

That the Committee have the power to authorise publication of any evidence given before it in public and any document presented to it.

Use of Consultancy Services

That the Committee may, with the prior approval of the Treasurer, commission any person or persons to investigate and report to the Committee on any aspect of a proposal, matter or thing being inquired into or being considered by the Committee.

Discussion Papers/Reports

That the Committee may publish discussion papers and present interim reports to the Parliament prior to any final report to the Parliament on any proposal matter or thing.

That reports of the Committee may recommend matters for further investigation by a joint investigatory committee appointed under the *Parliamentary Committees Act 1968*.

That Committee reports may incorporate a minority report from any member or members of the Committee.

Payment of Members

That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

Hansard

That a *Hansard* report of the Committee's or a sub-committee's proceedings in public when examining the Annual or Supplementary Estimates and Budget Papers shall be circulated, in a manner similar to the daily *Hansard* of the Houses, as soon as practicable after completion of each day's proceedings.

Conflict with Standing Orders

That the foregoing provisions of this resolution so far as they are inconsistent with the Standing Orders and practices of the Houses shall have effect notwithstanding anything contained in those Standing Orders.

- 11 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 12 THE HON. D. M. EVANS—To move, That this House expresses concern that the Government continues to lose revenue and potential export income, damage the environment and reduce employment opportunities by not issuing licences for processing all the economically viable forest residues remaining after logging operations.
- 13 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- *14 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Government for extending daylight saving without adhering to undertakings given to Parliament in debating the *Summer Time (Amendment) Act 1983* and, in so doing, giving preference to leisure time activities over the disabilities suffered by the aged, the infirm, the young, shift workers, interstate travellers and the farming community.

ORDERS OF THE DAY

- 1 POLICE (POWERS OF INVESTIGATION) BILL—(*Hon. B. A. Chamberlain*)—
Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 2 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second
reading.
- 3 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—
Resumption of debate. (Hon. Evan Walker).
- 4 CONSUMPTION TAX—Motion condemning policies advocating introduction in
view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 5 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note
of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 6 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—
Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—
Resumption of debate. (Hon. J. V. C. Guest).
- 7 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for
radical changes resulting in lack of public confidence and calling for urgent
remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. R. I. Knowles).*
- 8 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be
considered.
- 9 TEACHER HOUSING—Motion recognizing importance to rural teaching staff
and expressing alarm at policy to sell off, despite opposition from rural
school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. M. J. Sandon).*
- 10 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND
RELATED MINISTERIAL STATEMENT—Motion to take note of response
and statement—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 11 DANGEROUS GOODS ACT 1985—REPORT ON ADMINISTRATION AND
OPERATION, 1985-86—To be considered.
- 12 DEAKIN UNIVERSITY REPORTS, 1983, 1984 AND 1985—To be considered.
- 13 DRIED FRUITS BOARD REPORT, 1986—To be considered.
- 14 MELBOURNE AREA—LAND CONSERVATION COUNCIL'S FINAL
RECOMMENDATIONS—To be considered.
- 15 LAW FOUNDATION REPORT, 1985-86—To be considered.
- 16 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1985—To be
considered.
- 17 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1985—To be
considered.
- 18 PARLIAMENTARY OFFICERS ACT 1975—STATEMENTS, 1986-87—To be
considered.
- 19 POLICE SERVICE BOARD—DETERMINATIONS Nos. 472 TO 475 AND No. 5
FOR POLICE RECRUITS—To be considered.
- 20 PRISON INDUSTRIES COMMISSION REPORT, 1985-86—To be considered.
- 21 PUBLIC OFFICES CORPORATION REPORT, 1985-86—To be considered.
- 22 RIVER MURRAY COMMISSION REPORT, 1985-86—To be considered.

- 23 ROAD SAFETY ACT 1986—ORDER IN COUNCIL DECLARING CERTAIN VEHICLES TO BE TRACTORS FOR PURPOSES OF THE ACT—To be considered.
- 24 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1985-86—To be considered.
- 25 TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) ACT 1985—MINISTER'S NOTICE OF PARTICULARS OF LAND TRANSFERRED BY THE MELBOURNE AND METROPOLITAN BOARD OF WORKS—To be considered.
- 26 WEST MOORABOOL WATER BOARD REPORT, 1985-86—To be considered.
- 27 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 28 EDUCATION (SCHOOL COUNCIL POLICIES) BILL—(Hon. Haddon Storey)—Second reading—*Resumption of debate.* (Hon. D. R. White).
- 29 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. D. R. White).
- *30 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading.
- *31 WINE GRAPE PROCESSING INDUSTRY NEGOTIATING COMMITTEE—PUBLIC BODIES REVIEW COMMITTEE'S REPORT—To be considered.
- *32 FAIRFIELD HOSPITAL REPORT, 1986-87—To be considered.
- *33 RADIATION ADVISORY COMMITTEE REPORT, 1985-86—To be considered.
- *34 RURAL WATER COMMISSION REPORT, 1985-86—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *2 SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 3 LITTER BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. Marie Tehan).
- 4 VICTORIA STATE EMERGENCY SERVICE BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. N. B. Reid).
- 5 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Lyster).
- 6 SURVEY CO-ORDINATION (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. R. J. Long).
- 7 RESIDENTIAL TENANCIES (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—To be further considered in Committee.
- 8 ADOPTION (AMENDMENT) BILL—(Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- 9 HEALTH (CHILDREN'S SERVICES) BILL—(Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).

- 10 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 11 BUILDING CONTROL (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 12 BUDGET PAPERS, 1987-88—Motion to take note of papers—(Hon. D. R. White)—Resumption of debate. (Hon. J. V. C. Guest).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 22 and 23

No. 22—Tuesday, 1 September 1987

- 1 The President took the Chair and read the Prayer.
- 2 **THE LATE HONOURABLE MALCOLM JOSEPH GLADMAN, J.P.**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 26 August 1987, of the Honourable Malcolm Joseph Gladman, J.P., and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a Member of the Legislative Assembly for the Electoral District of Warrnambool from 1952 to 1955 and Minister without Portfolio from 1953 to 1955.

And other Honourable Members having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 3 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourable Malcolm Joseph Gladman, J.P., the House do now adjourn until this day at 8.00 p.m.

Question—put and resolved in the affirmative.

And then the Council, at 3.13 p.m., adjourned until this day at 8.00 p.m.

- 1 The President took the Chair.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, on 25 August 1987, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - Equal Opportunity (Amendment) Act.*
 - Victorian Arts Centre (Amendment) Act.*
- 3 **SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Superannuation Act 1958’, the ‘Local Authorities Superannuation Act 1958’, the ‘Hospitals Superannuation Act 1965’, the ‘State Employees Retirement Benefits Act 1979’ and the ‘Superannuation Benefits Act 1977’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to make further provision with respect to criminal investigations, to amend the *Crimes*

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.

5 PAPERS—

PUBLIC BODIES REVIEW COMMITTEE—WINE GRAPE PROCESSING INDUSTRY NEGOTIATING COMMITTEE—The Honourable A. J. Hunt presented a Report from the Public Bodies Review Committee upon the Wine Grape Processing Industry Negotiating Committee, together with Appendices, a Bibliography, Extracts from the Proceedings, Minutes of Evidence and a Minority Report.

Ordered to lie on the Table and the Report, Appendices, Bibliography, Extracts from the Proceedings and Minority Report to be printed.

The Honourable A. J. Hunt moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

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

Education Act 1958—Minister's certificate of 30 July 1987 regarding the resumption of land at Croydon.

Fairfield Hospital—Report for the year 1986–87.

Marketing of Primary Products Act 1958—Proclamation of 11 August 1987 declaring that eggs shall become the property of the Victorian Egg Marketing Board for a further period of two years.

Parliamentary Committees Act 1968—Minister's response to recommendations in Economic and Budget Review Committee's report upon the State Insurance Office: The Accounting Measurement of Compulsory Third Party Outstanding Claims Liabilities.

Prevention of Cruelty to Animals Act 1986—

Revocation of Code of Practice relating to the Use of Steel-Jawed Traps.
Code of Practice relating to the Use of Small Steel-Jawed Traps.

Radiation Advisory Committee—Report for the year ended 31 October 1986.

Rural Water Commission—Report and financial statements for the year 1985–86.

Statutory Rules under the following Acts of Parliament:

Credit Act 1984—No. 213.

Dentists Act 1972—No. 217.

Evidence Act 1958—No. 211.

Firearms Act 1958—Nos. 214 and 219.

Pharmacists Act 1974—No. 216.

Public Service Act 1974—No. 220; and PSD Nos. 34 to 36.

Second-hand Dealers Act 1958—No. 212.

Superannuation Act 1958—No. 221.

Zoological Parks and Gardens Act 1967—No. 215.

Town and Country Planning Act 1961—

Melbourne Metropolitan Planning Scheme—Amendments No. 143, Part 4 (with maps); No. 325, Part 3 (with maps); No. 382, Part 2 (with maps); No. 429, Part 1 (with maps); No. 432, Part 1 (with maps); No. 472 (with maps); No. 473 (with maps); and No. 483.

Melbourne Metropolitan Planning Scheme—City of Frankston Amendment No. 2.

The Honourable B. A. Chamberlain 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.

- 6 RESIDENTIAL TENANCIES (AMENDMENT) BILL—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 7 PROPERTY LAW (AMENDMENT) BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 35

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely (*Teller*)
 J. L. Dixon (*Teller*)
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

H. R. Ward
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 Honourable G. A. Sgro 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 **SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Swan Hill Pioneer Settlement Act 1974’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan (for the Honourable D. R. White), 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.

- 9 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.33 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 23—Wednesday, 2 September 1987

- 1 The President took the Chair and read the Prayer.

2 **PETITIONS**—

PUBLIC HOSPITALS—The Honourable M. A. Birrell presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

* * * *

RAILWAY MAINTENANCE DEPOT, NUNAWADING—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

* * * *

Severally ordered to lie on the Table.

- 3 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Clerk:

Statutory Rules under the following Acts of Parliament:

Groundwater Act 1969—No. 225.

Statutory Rules—*continued*

Hospitals Superannuation Act 1965—Nos. 228 and 229.
 Industrial Relations Act 1979—No. 226.
 Optometrists Registration Act 1958—No. 218.
 Racing Act 1958—Nos. 222 and 224.
 Wildlife Act 1975—No. 230.

4 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.

5 **FOREST RESIDUES**—The Honourable D. M. Evans moved, That this House expresses concern that the Government continues to lose revenue and potential export income, damage the environment and reduce employment opportunities by not issuing licences for processing all the economically viable forest residues remaining after logging operations.

Debate ensued.

Question—put.

The Council divided.

AYES, 18

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 R. I. Knowles (*Teller*)
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 17

The Hon. M. J. Arnold
 Joan Cocksedge
 J. L. Dixon
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

6 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 13 and 14, and Orders of the Day, General Business, Nos. 1 to 29 inclusive, be postponed until later this day.

7 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable B. A. Chamberlain moved, That this Bill be now read a second time.

Debate ensued.

The Honourable C. F. Van Buren 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 **POLICE (POWERS OF INVESTIGATION) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 K. I. M. Wright

NOES, 16

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster (*Teller*)
 J. McLean
 B. W. Mier
 B. T. Pullen
 G. A. Sgro
 C. F. Van Buren
 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 Honourable M. J. Arnold 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 ESTIMATES COMMITTEE—The President announced the receipt of a Message from the Assembly acquainting the Council of a Resolution concerning the appointment of a Joint Select Committee to inquire into and report upon the Annual Estimates of Receipts and Payments and any Additional or Supplementary Estimates of Receipts and Payments, and desiring the concurrence of the Council therein.

Ordered—That the Resolution be taken into consideration forthwith.

And the said Resolution was read and is as follows:

1. That a Joint Select Committee be appointed to inquire into and report upon the Annual Estimates of Receipts and Payments and any Additional or Supplementary Estimates of Receipts and Payments presented to the Legislative Assembly and the Legislative Council and referred to the Committee by resolution of the Council and the Assembly from time to time.
2. That the Committee may in addition inquire into and report on the efficiency, effectiveness and economy of the administration of particular programs and items of expenditure contained in Appropriation Bills or on any other matter arising out of the Estimates.

Priority to Parliamentary References

3. That the Committee shall give priority to such investigations referred to it by resolution of the Council and the Assembly.

Time Period for Reporting

4. That the resolution referring Estimates to the Committee for inquiry and report shall fix a day by which the Committee shall report its findings to each House.

Membership

5. That the Committee shall consist of 8 Members, comprising not more than 5 Members of the Council and not more than 5 Members of the Assembly.

Quorum

6. That 4 Members of the Committee shall constitute a quorum of the Committee but a quorum shall not consist exclusively of Members of the Council or Members of the Assembly.

Chairman

7. That the Committee shall elect one of the Government members of the Committee to be Chairman.
8. That the Chairman shall have a deliberative vote and, in the event of an equality of votes, shall have a casting vote.

Deputy Chairman

9. That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform all the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.

Sitting Times and Places

10. That the Committee may sit in such places in Victoria as seems most convenient for the proper and speedy despatch of business.
11. The Committee shall not sit while either House is actually sitting except by leave of that House and may not, while either House is actually sitting, sit in any place other than a place that is within the Parliament buildings.

Participation of Non-Members

12. That members of either House, not being members of the Committee, may participate at the discretion of the Chairman in any public hearing at which evidence is given and witness are examined but shall not vote, move any motion or be counted for the purpose of a quorum.

Procedure of the Committee

13. That the Committee may ask for explanations from Ministers from either House, and from public servants and other relevant persons relating to items of proposed expenditure.
14. That the Committee may send for persons, papers and records and report Minutes of Evidence from time to time.
15. That the Committee shall unless it otherwise resolves take all evidence in public.
16. That the Committee shall keep a record of all evidence given before it and determinations made by it.
17. That the Committee have the power to authorise publication of any evidence given before it in public and any document presented to it subject to the consideration of the views of the relevant Ministers.

Use of Consultancy Services

18. That the Committee may, with the prior approval of the Treasurer and the Speaker, commission any person or persons to investigate and report to the Committee on any aspect of a proposal, matter or thing being inquired into or being considered by the Committee.

Discussion Papers/Reports

19. That the Committee may publish discussion papers and present interim reports to the Parliament prior to any final report to the Parliament.
20. That reports of the Committee may recommend matters for further investigation by a joint investigatory committee appointed under the *Parliamentary Committees Act 1968*.
21. Where requested so to do by one or more members of the Committee, the Committee shall include with a report made by it to each House a minority report on behalf of that member or those members.

Payment of Members

22. That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

Hansard

23. That a Hansard report of the evidence received by the Committee in public shall be published, in a manner similar to the daily Hansard of the Houses, as soon as practicable after completion of each day's proceedings.

Conflict with Standing Orders

24. That the foregoing provisions of this resolution so far as they are inconsistent with the Standing Orders and Practices of the Houses shall have effect notwithstanding anything contained in those Standing Orders.

Expiry of Resolution

25. This resolution shall have effect up to and until 31 May 1988.

The Honourable D. R. White moved, That the Council concur with the Assembly and agree to the said Resolution.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 10 **ESTIMATES COMMITTEE**—The Honourable D. R. White moved, by leave, That the Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan be members of the Joint Select Committee on Estimates.

Question—put and resolved in the affirmative.

- 11 **ESTIMATES 1987-88**—The President announced the receipt of a Message from the Assembly acquainting the Council of a Resolution, contingent upon such a Committee being appointed, referring the Estimates of Receipts and Payments for 1987-88 to the Joint Select Committee on Estimates.

Ordered—That the Message be taken into consideration forthwith.

The Honourable D. R. White moved, by leave, That the Estimates of Receipts and Payments for 1987-88 be referred to the Joint Select Committee on Estimates for inquiry, consideration and report, and that the Committee be required to present its Final Report by 29 October 1987.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 12 **POLICE (POWERS OF INVESTIGATION) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable M. J. Arnold 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.

- 13 **ADJOURNMENT**—The Honourable J. H. Kennan moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable J. H. Kennan moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.42 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- 2 SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- 3 RESIDENTIAL TENANCIES (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—To be further considered in Committee.
- 4 LITTER BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. Marie Tehan)*.
- 5 VICTORIA STATE EMERGENCY SERVICE BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. N. B. Reid)*.
- 6 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Lyster)*.
- 7 SURVEY CO-ORDINATION (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. J. Long)*.
- 8 ADOPTION (AMENDMENT) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles)*.
- 9 HEALTH (CHILDREN'S SERVICES) BILL—(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. R. I. Knowles)*.
- 10 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell)*.
- 11 BUILDING CONTROL (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt)*.
- 12 BUDGET PAPERS, 1987-88—Motion to take note of papers—(*Hon. D. R. White*)—*Resumption of debate. (Hon. J. V. C. Guest)*.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 THE HON. J. V. C. GUEST—To move, That the following Sessional Order be agreed to by the Council:
- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on the Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing

Public Works
Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs
Conservation, Forests and Lands
Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs
Health
Community Services
Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall

not both be held by Government members or non-Government members of the Committee.

- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
 - (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
 - (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;

- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information

available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.

- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.

(2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.

(3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

(a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and

(b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

(a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and

(b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

9 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

- 10 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 11 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Government for extending daylight saving without adhering to undertakings given to Parliament in debating the *Summer Time (Amendment) Act 1983* and, in so doing, giving preference to leisure time activities over the disabilities suffered by the aged, the infirm, the young, shift workers, interstate travellers and the farming community.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 DANGEROUS GOODS ACT 1985—REPORT ON ADMINISTRATION AND OPERATION, 1985–86—To be considered.
- 11 DEAKIN UNIVERSITY REPORTS, 1983, 1984 AND 1985—To be considered.
- 12 DRIED FRUITS BOARD REPORT, 1986—To be considered.
- 13 MELBOURNE AREA—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—To be considered.
- 14 LAW FOUNDATION REPORT, 1985–86—To be considered.
- 15 MELBOURNE COLLEGE OF ADVANCED EDUCATION REPORT, 1985—To be considered.

- 16 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1985—To be considered.
- 17 PARLIAMENTARY OFFICERS ACT 1975—STATEMENTS, 1986-87—To be considered.
- 18 POLICE SERVICE BOARD—DETERMINATIONS Nos. 472 TO 475 AND No. 5 FOR POLICE RECRUITS—To be considered.
- 19 PRISON INDUSTRIES COMMISSION REPORT, 1985-86—To be considered.
- 20 PUBLIC OFFICES CORPORATION REPORT, 1985-86—To be considered.
- 21 RIVER MURRAY COMMISSION REPORT, 1985-86—To be considered.
- 22 ROAD SAFETY ACT 1986—ORDER IN COUNCIL DECLARING CERTAIN VEHICLES TO BE TRACTORS FOR PURPOSES OF THE ACT—To be considered.
- 23 SWAN HILL PIONEER SETTLEMENT AUTHORITY ACCOUNTS, 1985-86—To be considered.
- 24 TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) ACT 1985—MINISTER'S NOTICE OF PARTICULARS OF LAND TRANSFERRED BY THE MELBOURNE AND METROPOLITAN BOARD OF WORKS—To be considered.
- 25 WEST MOORABOOL WATER BOARD REPORT, 1985-86—To be considered.
- 26 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. T. Pullen).*
- 27 EDUCATION (SCHOOL COUNCIL POLICIES) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate. (Hon. D. R. White).*
- 28 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. D. R. White).*
- 29 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. C. F. Van Buren).*
- 30 WINE GRAPE PROCESSING INDUSTRY NEGOTIATING COMMITTEE—PUBLIC BODIES REVIEW COMMITTEE'S REPORT—To be considered.
- 31 FAIRFIELD HOSPITAL REPORT, 1986-87—To be considered.
- 32 RADIATION ADVISORY COMMITTEE REPORT, 1985-86—To be considered.
- 33 RURAL WATER COMMISSION REPORT, 1985-86—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

*ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
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- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
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(b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
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(b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
(c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
(d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
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- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;

(h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

(i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;

(j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;

(k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

(a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;

(b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.

19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by

that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—

- (i) trespass unduly on personal rights and liberties;
- (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
- (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
- (iv) inappropriately delegate legislative power; or
- (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.

(b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.

(c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.

(d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.

(2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.

(3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

9 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

10 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.

11 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Government for extending daylight saving without adhering to undertakings given to Parliament in debating the *Summer Time (Amendment) Act 1983* and, in so doing, giving preference to leisure time activities over the disabilities suffered by the aged, the infirm, the young, shift workers, interstate travellers and the farming community.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—*Resumption of debate.* (Hon. J. V. C. Guest).

- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 EDUCATION (SCHOOL COUNCIL POLICIES) BILL—(*Hon. Haddon Storey*)—Second reading—*Resumption of debate.* (*Hon. D. R. White*).
- 12 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. D. R. White*).
- 13 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 14 WINE GRAPE PROCESSING INDUSTRY NEGOTIATING COMMITTEE—PUBLIC BODIES REVIEW COMMITTEE'S REPORT—To be considered.
- 15 FAIRFIELD HOSPITAL REPORT, 1986–87—To be considered.
- 16 RADIATION ADVISORY COMMITTEE REPORT, 1985–86—To be considered.
- 17 RURAL WATER COMMISSION REPORT, 1985–86—To be considered.
- *18 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—To be considered.
- *19 PROSTITUTION REGULATION ACT 1986—PROCLAMATION FIXING OPERATIVE DATE—To be considered.
- *20 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S NINTH REPORT—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 STATE CONCESSIONS (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading.
- *2 FAIR TRADING (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- *3 STATE TRUST CORPORATION OF VICTORIA BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- *4 INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL—(*Hon. C. J. Hogg*)—Second reading.
- *5 CRIMES (COMPUTERS) BILL—(*Hon. J. H. Kennan*)—Second reading.

- 6 RESIDENTIAL TENANCIES (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—To be further considered in Committee.
- 7 LITTER BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. Marie Tehan).
- 8 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. G. P. Connard).
- 9 SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. W. A. Baxter).
- 10 VICTORIA STATE EMERGENCY SERVICE BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 11 SURVEY CO-ORDINATION (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. J. Long).
- 12 HEALTH (CHILDREN'S SERVICES) BILL—(Hon. C. J. Hogg)—To be further considered in Committee.
- 13 BUILDING CONTROL (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 14 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).
- 15 ADOPTION (AMENDMENT) BILL—(Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 16 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 17 BUDGET PAPERS, 1987-88—Motion to take note of papers—(Hon. D. R. White)—Resumption of debate. (Hon. J. V. C. Guest).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 24 and 25

No. 24—Tuesday, 8 September 1987

- 1 The President took the Chair and read the Prayer.
- 2 **STATE CONCESSIONS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘State Concessions Act 1986’ to include totally and permanently incapacitated veterans and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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.

- 3 **PETITION—RAILWAY MAINTENANCE DEPOT, NUNAWADING**—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

Ordered to lie on the Table.

- 4 **INTELLECTUALLY DISABLED PERSONS’ SERVICES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable C. J. Hogg, leave was given to bring in a Bill to amend the *Intellectually Disabled Persons’ Services Act 1986*, the *Guardianship and Administration Board Act 1986* and the *Mental Health Act 1986* 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.

- 5 **CRIMES (COMPUTERS) BILL**—On the motion (by leave without notice) of the Honourable D. R. White (for the Honourable J. H. Kennan), leave was given to bring in a Bill to amend the *Crimes 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 **MINISTERIAL STATEMENT—CHEMICAL RESIDUES**—The Honourable Evan Walker made a Ministerial Statement on Chemical Residues.

The Honourable R. I. Knowles moved, by leave, That the Statement be taken into consideration later this day.

Question—put and resolved in the affirmative.

- 7 **PAPERS**—

LEGAL AND CONSTITUTIONAL COMMITTEE—SUBORDINATE LEGISLATION—The Honourable Haddon Storey presented the Ninth Report from the Legal and Constitutional Committee on Subordinate Legislation (S.R. 65/1987), together with an Appendix, Extracts from the Proceedings of the Committee and a Minority Report.

Ordered to lie on the Table and to be printed.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

PAPERS PURSUANT TO STATUTE—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:

Public Service Act 1974—PSD No. 37.

Racing Act 1958—No. 223.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 314, Part 3 (with maps); No. 382, Part 3 (with maps); and No. 431, Part 1 (with three maps).

* * * *

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council or the Lieutenant-Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 24 February 1987:

Evidence (Neighbourhood Mediation Centres) Act 1987—2 September 1987 (*Gazette* No. G 34, 5 September 1987).

Friendly Societies Act 1986—1 September 1987 (*Gazette* No. G 33, 26 August 1987).

Prostitution Regulation Act 1986—Sections 1 to 11, 50 to 52, 54 to 60, 67, 68 except paragraphs (a), (b), (c), (g) and (h) of sub-section (1), 69, 71, 72, 73 except sub-section (1), paragraph (a) of sub-section (2) and sub-section (3), 74 except paragraph (c), 75, 76, 77 except paragraph (b) and 78 to 81—16 August 1987 (*Gazette* No. G 31, 12 August 1987).

The Honourable Haddon Storey moved, That the Proclamation as to the operation of the *Prostitution Regulation Act 1986* tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 8 **SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable G. P. Connard 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 **SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

The Honourable 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 later this day.

- 10 **RESIDENTIAL TENANCIES (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the Acting President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 8 inclusive, be postponed until later this day.

12 **HEALTH (CHILDREN'S SERVICES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

13 **FAIR TRADING (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Fair Trading Act 1985' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **STATE TRUST CORPORATION OF VICTORIA BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to establish the State Trust Corporation of Victoria, to repeal the 'Public Trustee Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), 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 **RESIDENTIAL TENANCIES (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.41 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 25—Wednesday, 9 September 1987

- 1 The President took the Chair and read the Prayer.
- 2 **RACING (FURTHER 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’, the ‘Liquor Control Act 1968’, the ‘Racing (Miscellaneous Amendments) Act 1986’, the ‘Sunday Entertainment Act 1967’ and the ‘Stamps Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable J. E. Kirner, 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—RAILWAY MAINTENANCE DEPOT, NUNAWADING**—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.
Ordered to lie on the Table.
- 4 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:
National Parks Act 1975—Minister’s notice of consent to exploration works under Exploration Licence No. 1600 held by Buninyong Ballarat Goldfields Pty. Ltd.
Planning Appeals Board—Report for the year 1986–87.
The Honourable Haddon Storey 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.
- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion and Orders of the Day, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.
- 6 **GOVERNMENT LAND**—The Order of the Day having been read for the resumption of the debate on the motion condemning the Government’s sale of land leased and substantially improved by tenants and calling for the grant to tenants of the first right to purchase (for motion see page 112, *ante*)—
Debate resumed.
The Honourable 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.
- 7 **EDUCATION (SCHOOL COUNCIL POLICIES) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
Debate resumed.
Question—put.
The Council divided.

AYES, 18

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn

NOES, 17

The Hon. M. J. Arnold
Joan Coxsedg
J. L. Dixon
D. E. Henshaw
C. J. Hogg
C. J. Kennedy

D. M. Evans	J. E. Kirner
F. J. Granter	W. A. Landeryou
R. M. Hallam	M. A. Lyster
R. Lawson	J. McLean (<i>Teller</i>)
R. J. Long	B. W. Mier (<i>Teller</i>)
R. Macey (<i>Teller</i>)	B. T. Pullen
J. G. Miles (<i>Teller</i>)	M. J. Sandon
N. B. Reid	G. A. Sgro
Haddon Storey	C. F. Van Buren
Marie Tehan	Evan Walker
H. R. Ward	D. R. White
K. I. M. Wright	

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, and Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.

- 9 **CRIMES (COMPUTERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable 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 Wednesday, 23 September 1987.

- 10 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—The Acting President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to facilitate the planning of the Loddon-Campaspe region and to reconstitute the Loddon-Campaspe Regional Planning Authority, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White (for the Honourable J. H. Kennan), 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.

Accordingly, the Honourable D. R. White (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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.

- 11 **FAIR TRADING (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable G. P. Connard) 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 **STATE CONCESSIONS (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council and, by leave, 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 **RACING (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable 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.

- 14 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend ‘The Constitution Act Amendment Act 1958’ to reform electoral procedures, to amend the ‘Magistrates (Summary Proceedings) Act 1975’ and the ‘Senate Elections Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, 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 **INTELLECTUALLY DISABLED PERSONS’ SERVICES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. I. Knowles) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 to 9 inclusive, be postponed until later this day.

- 17 **VICTORIA STATE EMERGENCY SERVICE BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, 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 Honourable G. A. Sgro 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.

- 18 **RESIDENTIAL TENANCIES (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair, and the Honourable G. A. Sgro 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.

19 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.32 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL**—
(from Assembly—Hon. J. H. Kennan)—Second reading.
- 2 **STATE TRUST CORPORATION OF VICTORIA BILL**—(from Assembly—Hon.
J. H. Kennan)—Second reading.
- 3 **FAIR TRADING (AMENDMENT) BILL**—(from Assembly—Hon. J. E. Kirner)—
Second reading—Resumption of debate. (Hon. G. P. Connard).
- 4 **INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL**—
(Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. I.
Knowles).
- 5 **LITTER BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading—
Resumption of debate. (Hon. Marie Tehan).
- 6 **SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL**—(from Assembly—
Hon. D. R. White)—Second reading—Resumption of debate. (Hon. G. P.
Connard).
- 7 **SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL**—(from
Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon.
W. R. Baxter).
- *8 **RACING (FURTHER AMENDMENT) BILL**—(from Assembly—Hon. J. E.
Kirner)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- *9 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—(from
Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate.
(Hon. A. J. Hunt).
- 10 **SURVEY CO-ORDINATION (AMENDMENT) BILL**—(from Assembly—Hon. J. H.
Kennan)—Second reading—Resumption of debate. (Hon. R. J. Long).
- 11 **HEALTH (CHILDREN'S SERVICES) BILL**—(Hon. C. J. Hogg)—To be further
considered in Committee.
- 12 **BUILDING CONTROL (AMENDMENT) BILL**—(Hon. J. H. Kennan)—Second
reading—Resumption of debate. (Hon. A. J. Hunt).
- 13 **LORD MAYOR'S COMMUNITY AID BILL**—(Hon. D. R. White)—Second
reading—Resumption of debate. (Hon. M. A. Lyster).
- 14 **ADOPTION (AMENDMENT) BILL**—(Hon. C. J. Hogg)—Second reading—
Resumption of debate. (Hon. R. I. Knowles).
- 15 **INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL**—(Hon. D. R.
White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 16 **BUDGET PAPERS, 1987-88**—Motion to take note of papers—(Hon. D. R.
White)—Resumption of debate. (Hon. J. V. C. Guest).

* Indicates new entry.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board

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- Management and Budget
Industry, Technology and Resources.
- (b) The Standing Committee on Education and Employment:
Education
Labour
Arts
Sport and Recreation.
- (c) The Standing Committee on Law and Local Government:
Law
Local Government
Police and Emergency Services
Consumer Affairs.
- (d) The Standing Committee on the Environment and Transport:
Planning and Environment
Transport
Housing
Public Works
Property and Services.
- (e) The Standing Committee on Primary Industry and Resources:
Agriculture and Rural Affairs
Conservation, Forests and Lands
Water Resources.
- (f) The Standing Committee on Health and Welfare:
Aboriginal Affairs
Health
Community Services
Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such

additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.

- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
- (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
- (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.

- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
 - (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
 - (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—
 - (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;

- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
 - (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.
- 14 In considering any Bill or matter referred to it under paragraph 12—
- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
 - (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the

Parliament, whether such Bills or Acts, by express words or otherwise—

- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.

(2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.

(3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

(a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and

(b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

(a) condemning the Government for rejecting the Ombudsman's

recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and

- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

- 9 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 10 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 11 **THE HON. K. I. M. WRIGHT**—To move, That this House condemns the Government for extending daylight saving without adhering to undertakings given to Parliament in debating the *Summer Time (Amendment) Act 1983* and, in so doing, giving preference to leisure time activities over the disabilities suffered by the aged, the infirm, the young, shift workers, interstate travellers and the farming community.
- *12 **THE HON. R. LAWSON**—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act 1985* for the year 1985-86.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker)*.
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest)*.
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright)*.
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest)*.
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. R. I. Knowles)*.
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.

- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **WINE GRAPE PROCESSING INDUSTRY NEGOTIATING COMMITTEE—PUBLIC BODIES REVIEW COMMITTEE'S REPORT**—To be considered.
- 14 **FAIRFIELD HOSPITAL REPORT, 1986-87**—To be considered.
- 15 **RADIATION ADVISORY COMMITTEE REPORT, 1985-86**—To be considered.
- 16 **RURAL WATER COMMISSION REPORT, 1985-86**—To be considered.
- 17 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—To be considered.
- 18 **PROSTITUTION REGULATION ACT 1986—PROCLAMATION FIXING OPERATIVE DATE**—To be considered.
- 19 **SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S NINTH REPORT**—To be considered.
- *20 **PLANNING APPEALS BOARD REPORT, 1986-87**—To be considered.

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WEDNESDAY, 23 SEPTEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **CRIMES (COMPUTERS) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 THE HON. J. V. C. GUEST—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the

allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

- (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on the Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing
 - Public Works
 - Property and Services.
 - (e) The Standing Committee on Primary Industry and Resources:
 - Agriculture and Rural Affairs
 - Conservation, Forests and Lands
 - Water Resources.
 - (f) The Standing Committee on Health and Welfare:
 - Aboriginal Affairs
 - Health
 - Community Services
 - Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
 - (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
 - 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
 - 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
 - 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.

- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
(b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
(b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
(c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
(d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.

- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
 - (h) in the preparation and presentation of its report shall make such

provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.

19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise

be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8. THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

9 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

10 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.

11 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Government for extending daylight saving without adhering to undertakings given to Parliament in debating the *Summer Time (Amendment) Act 1983* and, in so doing, giving preference to leisure time activities over the disabilities suffered by the aged, the infirm, the young, shift workers, interstate travellers and the farming community.

12 THE HON. R. LAWSON—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act 1985* for the year 1985-86.

*13 THE HON. D. M. EVANS—To move, That the Council take note of the Code of Practice relating to the use of small steel-jawed traps and the Notice of Revocation of the Code of Practice relating to the use of steel-jawed traps, tabled in this House on 1 September 1987.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).

- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. R. I. Knowles).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 9 RURALECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 WINE GRAPE PROCESSING INDUSTRY NEGOTIATING COMMITTEE—PUBLIC BODIES REVIEW COMMITTEE'S REPORT—To be considered.
- 14 FAIRFIELD HOSPITAL REPORT, 1986-87—To be considered.
- 15 RADIATION ADVISORY COMMITTEE REPORT, 1985-86—To be considered.
- 16 RURAL WATER COMMISSION REPORT, 1985-86—To be considered.
- 17 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—To be considered.
- 18 PROSTITUTION REGULATION ACT 1986—PROCLAMATION FIXING OPERATIVE DATE—To be considered.
- 19 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S NINTH REPORT—To be considered.
- 20 PLANNING APPEALS BOARD REPORT, 1986-87—To be considered.
- *21 PERSONAL RECORDS BILL—(Hon. B. A. Chamberlain)—Second reading.
- *22 RAPE AND ALLIED OFFENCES—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- *23 MORTGAGEE SALES AND JUDGMENT DEBTS—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.

- *24 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1986-87—To be considered.
- *25 PATRIOTIC FUNDS COUNCIL REPORT, 1985—To be considered.
- *26 SURVEY CO-ORDINATION ACT 1958—SURVEYOR-GENERAL'S REPORT ON PROGRESS AND CO-ORDINATION OF SURVEYS AND ADMINISTRATION OF ACT, 1986-87—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 SISTERS OF MERCY (WODONGA LAND) BILL—(Hon. J. H. Kennan)—Second reading.
- *2 LEGAL PROFESSION PRACTICE (PROFESSIONAL INDEMNITY) BILL—(Hon. J. H. Kennan)—Second reading.
- *3 ESTIMATES COMMITTEE—RESOLUTION OF THE ASSEMBLY—To be considered.
- 4 INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL—(Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- 5 BUILDING CONTROL (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- 6 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Lyster).
- 7 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 8 FAIR TRADING (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. G. P. Connard).
- 9 SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. G. P. Connard).
- 10 SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. W. R. Baxter).
- 11 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- 12 STATE TRUST CORPORATION OF VICTORIA BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 13 BUDGET PAPERS, 1987-88—Motion to take note of papers—(Hon. D. R. White)—*Resumption of debate.* (Hon. J. V. C. Guest).

TUESDAY, 22 SEPTEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL—**
(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate.
(Hon. R. J. Long).

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WEDNESDAY, 23 SEPTEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 **CRIMES (COMPUTERS) BILL—***(Hon. J. H. Kennan)—Second reading—*
Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 26 and 27

No. 26—Tuesday, 15 September 1987

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker 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:
State Concessions (Amendment) Act.
- 3 **MELBOURNE UNIVERSITY COUNCIL**—The Honourable Evan Walker moved, by leave, That the Honourable Michael John Arnold be recommended to the Governor in Council for appointment to the Council of Melbourne University.
Question—put and resolved in the affirmative.
- 4 **ABSENCE OF THE CLERK**—The President having announced that he had approved leave to the Clerk from 5 to 9 October 1987 to enable him to undertake duties in connexion with the 19th Australasian and Pacific Regional Conference of the Commonwealth Parliamentary Association—
The Honourable Evan Walker moved, by leave, 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.
- 5 **PETITION—RAILWAY MAINTENANCE DEPOT, NUNAWADING**—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.
Ordered to lie on the Table.
- 6 **SISTERS OF MERCY (WODONGA LAND) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to make provision with respect to the trusts upon which certain land at Wodonga is held for the benefit of the religious community residing at St Joseph's Convent at Wodonga and with respect to the sale or other disposition of that 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.
- 7 **LEGAL PROFESSION PRACTICE (PROFESSIONAL INDEMNITY) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill 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 to be read a second time on the next day of meeting.
- 8 **PERSONAL RECORDS BILL**—On the motion (by leave without notice) of the Honourable B. A. Chamberlain, leave was given to bring in a Bill to amend the *Registration of Births Deaths and Marriages Act 1959*, the *Road Safety Act 1986* 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 PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Law Reform Commission—

Report on Rape and Allied Offences: Substantive Aspects.
Report on Mortgage Sales and Judgment Debts.

Occupational Health and Safety Commission—Report for the year 1986–87.

Patriotic Funds Council—Report and accounts for the year 1985.

Statutory Rules under the following Acts of Parliament:

Abattoir and Meat Inspection Act 1973—No. 232.

Coal Mines Act 1958—No. 234.

County Court Act 1958—Interpretation of Legislation Act 1984—No. 241.

Groundwater Act 1969—No. 239.

Hospitals and Charities Act 1958—No. 233.

Hospitals Superannuation Act 1965—No. 235.

Metropolitan Fire Brigades Superannuation Act 1976—No. 236.

Supreme Court Act 1986—No. 240.

Surveyor-General—Report upon the progress and co-ordination of surveys under the Commonwealth national mapping scheme and the administration of the *Survey Co-ordination Act 1958* for the year 1986–87.

Town and Country Planning Act 1961—

Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme—Amendment No. 41, 1986.

Kilmore—Shire of Kilmore Planning Scheme 1973—Amendments Nos. 63, 65 and 67, 1986.

Moe—City of Moe Planning Scheme 1966—Amendment No. 74.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 73.

Woorayl—Shire of Woorayl Planning Scheme—Amendments Nos. 85 and 88.

The Honourable H. R. Ward 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.

10 MINISTERIAL STATEMENTS—

RAPE AND ALLIED OFFENCES—The Honourable J. H. Kennan made a Ministerial Statement concerning the Law Reform Commission Report upon Rape and Allied Offences.

The Honourable B. A. Chamberlain moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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MORTGAGEE SALES AND JUDGMENT DEBTS—The Honourable J. H. Kennan made a Ministerial Statement concerning the Law Reform Commission Report upon Mortgagee Sales and Judgment Debts.

The Honourable A. J. Hunt moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 11 THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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 Tuesday next.

- 12 **HANSARD RECORD**—The Honourable J. H. Kennan moved, by leave, That the proceedings of the Council immediately following upon the calling of the Order of the Day for the second reading of The Constitution Act Amendment (Electoral Procedures) Bill up to the suspension of the sitting be expunged from the *Hansard* record.

Question—put and resolved in the affirmative.

- 13 **STATE TRUST CORPORATION OF VICTORIA BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

- 14 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until later this day.

- 15 **LITTER BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 16 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 to 9 inclusive, be postponed until later this day.

- 17 **SURVEY CO-ORDINATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable K. I. M. Wright 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.

- 18 **HEALTH (CHILDREN'S SERVICES) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 12 and 13, be postponed until later this day.

20 **ADOPTION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

21 **RACING (FURTHER AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, 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 Honourable G. A. Sgro 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.

22 **ESTIMATES COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting the Council of a Resolution amending the Resolution of 2 September 1987 concerning the appointment of a Joint Estimates Committee, and desiring the concurrence of the Council therein.

Ordered—That the Resolution be taken into consideration on the next day of meeting.

23 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.42 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 27—Wednesday, 16 September 1987

1 The President took the Chair and read the Prayer.

2 **ESTIMATES COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Estimates Committee have leave to meet and take evidence during the sittings of the Council on all sitting days up to and including 12 November 1987.

Question—put and resolved in the affirmative.

3 PETITIONS—

RAILWAY MAINTENANCE DEPOT, NUNAWADING—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

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PUBLIC HOSPITALS—The Honourable M. A. Birrell presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

* * * *

Severally ordered to lie on the Table.

4 PAPERS—

SOCIAL DEVELOPMENT COMMITTEE—CHILD PEDESTRIAN AND BICYCLE SAFETY—The Honourable J. L. Dixon presented the Final Report from the Social Development Committee upon Child Pedestrian and Bicycle Safety, together with Appendices.

Ordered to lie on the Table, and to be printed.

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

Members of Parliament (Register of Interests) Act 1978—Summary of returns, June 1987.

State Board of Education—Report for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

Groundwater Act 1969—No. 238.

Public Service Act 1974—PSD Nos. 38 to 42.

The Honourable Haddon Storey moved, That the Summary of Returns and Report tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion and Orders of the Day, General Business, Nos. 1 to 20 inclusive, be postponed until later this day.

6 **PERSONAL RECORDS 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 Honourable K. I. M. Wright 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 **CHEMICAL RESIDUES**—The Order of the Day having been read for the consideration of the Ministerial Statement on Chemical Residues—

The Honourable R. I. Knowles moved, That the Council take note of the Ministerial Statement.

Debate ensued.

The Honourable 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.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until the next day of meeting.

- 9 **SISTERS OF MERCY (WODONGA LAND) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

And the Deputy President having ruled the Bill to be a Private Bill—

The Honourable J. H. Kennan moved, That this Bill be dealt with as a Public Bill.

Question—put and resolved in the affirmative.

The Honourable 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 Tuesday next.

- 10 **LEGAL PROFESSION PRACTICE (PROFESSIONAL INDEMNITY) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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.

- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 7 inclusive, be postponed until later this day.

- 12 **FAIR TRADING (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **SWAN HILL PIONEER SETTLEMENT (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **ESTIMATES COMMITTEE**—The Order of the Day having been read for the consideration of the Resolution of the Assembly amending the Resolution of 2 September 1987 concerning the appointment of this Committee, the said Resolution was read and is as follows:

Paragraph 23, omit this paragraph and insert the following:

“23. That as soon as practicable after the completion of each day’s proceedings a transcript of the evidence taken in public by the Committee shall be published.”

The Honourable D. R. White moved, That the Council concur with the Assembly and agree to the amending Resolution.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 15 **SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 11 and 12, be postponed until later this day.

- 17 **BUDGET PAPERS 1987-88**—The Order of the Day having been read for the resumption of the debate on the question, That the Council take note of the Budget Papers, 1987-88—

Debate resumed.

The Honourable 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.

- 18 **ADJOURNMENT**—The Honourable D. R. White moved, That the Council, at its rising, adjourn until Tuesday, 6 October 1987.

Question—put and resolved in the affirmative.

The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.27 p.m., adjourned until Tuesday, 6 October 1987.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL—*(Hon. C. J. Hogg)*—Second reading—*Resumption of debate. (Hon. R. I. Knowles).*
- 2 BUILDING CONTROL (AMENDMENT) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 3 LORD MAYOR'S COMMUNITY AID BILL—*(Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. M. A. Lyster).*
- 4 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—*(Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 5 SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL—*(from Assembly—Hon. D. R. White)*—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 6 STATE TRUST CORPORATION OF VICTORIA BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 8 SISTERS OF MERCY (WODONGA LAND) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 9 LEGAL PROFESSION PRACTICE (PROFESSIONAL INDEMNITY) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 10 THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL—*(from Assembly—Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. R. J. Long).*
- 11 CRIMES (COMPUTERS) BILL—*(Hon. J. H. Kennan)*—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 12 BUDGET PAPERS, 1987-88—Motion to take note of papers—*(Hon. D. R. White)*—*Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.

- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.

- (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on the Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing
 - Public Works
 - Property and Services.
 - (e) The Standing Committee on Primary Industry and Resources:
 - Agriculture and Rural Affairs
 - Conservation, Forests and Lands
 - Water Resources.
 - (f) The Standing Committee on Health and Welfare:
 - Aboriginal Affairs
 - Health
 - Community Services
 - Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.

- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
 - (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
 - (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
 - (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the

borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

- 14 In considering any Bill or matter referred to it under paragraph 12—
- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
 - (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;

- (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.
- (4) The Staffing and Appropriations Committee:
- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with

Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

- 9 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 10 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
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ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
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- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.

- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
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- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 **PROSTITUTION REGULATION ACT 1986—PROCLAMATION FIXING OPERATIVE DATE**—To be considered.
- 15 **SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S NINTH REPORT**—To be considered.
- 16 **PLANNING APPEALS BOARD REPORT, 1986-87**—To be considered.
- 17 **RAPE AND ALLIED OFFENCES—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 18 **MORTGAGEE SALES AND JUDGMENT DEBTS—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 19 **OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1986-87**—To be considered.
- 20 **PATRIOTIC FUNDS COUNCIL REPORT, 1985**—To be considered.
- 21 **SURVEY CO-ORDINATION ACT 1958—SURVEYOR-GENERAL'S REPORT ON PROGRESS AND CO-ORDINATION OF SURVEYS AND ADMINISTRATION OF ACT, 1986-87**—To be considered.
- *22 **MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1987**—To be considered.
- *23 **STATE BOARD OF EDUCATION REPORT, 1986-87**—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the

allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

- (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services
 - Consumer Affairs.
 - (d) The Standing Committee on the Environment and Transport:
 - Planning and Environment
 - Transport
 - Housing
 - Public Works
 - Property and Services.
 - (e) The Standing Committee on Primary Industry and Resources:
 - Agriculture and Rural Affairs
 - Conservation, Forests and Lands
 - Water Resources.
 - (f) The Standing Committee on Health and Welfare:
 - Aboriginal Affairs
 - Health
 - Community Services
 - Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
 - (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
 - 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
 - 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
 - 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.

- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
(b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
(b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
(c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
(d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.

- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigative Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
 - (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
 - (h) in the preparation and presentation of its report shall make such

provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.

19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise

be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

9 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

10 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.

11 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Government for extending daylight saving without adhering to undertakings given to Parliament in debating the *Summer Time (Amendment) Act 1983* and, in so doing, giving preference to leisure time activities over the disabilities suffered by the aged, the infirm, the young, shift workers, interstate travellers and the farming community.

12 THE HON. R. LAWSON—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act 1985* for the year 1985-86.

13 THE HON. D. M. EVANS—To move, That the Council take note of the Code of Practice relating to the use of small steel-jawed traps and the Notice of Revocation of the Code of Practice relating to the use of steel-jawed traps, tabled in this House on 1 September 1987.

*14 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate

for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
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- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
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- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **PROSTITUTION REGULATION ACT 1986—PROCLAMATION FIXING OPERATIVE DATE**—To be considered.
- 15 **SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S NINTH REPORT**—To be considered.
- 16 **PLANNING APPEALS BOARD REPORT, 1986-87**—To be considered.
- 17 **RAPE AND ALLIED OFFENCES—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT**—To be considered.

- 18 MORTGAGEE SALES AND JUDGMENT DEBTS—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT—To be considered.
- 19 OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1986-87—To be considered.
- 20 PATRIOTIC FUNDS COUNCIL REPORT, 1985—To be considered.
- 21 SURVEY CO-ORDINATION ACT 1958—SURVEYOR-GENERAL'S REPORT ON PROGRESS AND CO-ORDINATION OF SURVEYS AND ADMINISTRATION OF ACT, 1986-87—To be considered.
- 22 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1987—To be considered.
- 23 STATE BOARD OF EDUCATION REPORT, 1986-87—To be considered.
- *24 POLICE POWERS OF INVESTIGATION—IDENTIFICATION TESTS AND PROCEDURES—FINGERPRINTING—CONSULTATIVE COMMITTEE'S REPORT—To be considered.
- *25 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF EXTENSION OF REPORTING PERIOD—To be considered.
- *26 EDUCATION ACT 1958—MINISTER'S CERTIFICATE REGARDING THE RESUMPTION OF LAND AT ROWVILLE—To be considered.
- *27 INDUSTRIAL RELATIONS ACT 1979—INDUSTRIAL RELATIONS COMMISSION ACTING PRESIDENT'S REPORT, 1985-86—To be considered.
- *28 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1987—To be considered.
- *29 NATIONAL TENNIS CENTRE TRUST REPORT, 1986-87—To be considered.
- *30 STATE-FEDERAL FINANCIAL RELATIONS—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- *31 TRANSPORT POLICY IN RELATION TO INTEGRATION OF STUDENTS WITH IMPAIRMENTS, DISABILITIES OR PROBLEMS IN SCHOOLING—STATE BOARD OF EDUCATION'S REPORT—To be considered.
- *32 VICTORIAN CURRICULUM AND ASSESSMENT BOARD—MINISTER'S ADVICE OF EXTENSION OF TIME TO SUBMIT REPORT FOR 1986-87 AND REASONS THEREFOR—To be considered.
- *33 YOUTH PAROLE BOARD REPORT, 1985-86—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading.
- *2 NATIONAL MUTUAL ROYAL SAVINGS BANK LIMITED (MERGER) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 3 SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. W. R. Baxter*).
- 4 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 5 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Lyster*).

- 6 **INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL—**
(*Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **LEGAL PROFESSION PRACTICE (PROFESSIONAL INDEMNITY) BILL—**(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 8 **CRIMES (COMPUTERS) BILL—**(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 9 **BUILDING CONTROL (AMENDMENT) BILL—**(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- *10 **ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL—**(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 11 **BUDGET PAPERS, 1987-88—**Motion to take note of papers—(*Hon. D. R. White*)—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

A. V. BRAY
Acting Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 28 and 29

No. 28—Tuesday, 6 October 1987

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

On 22 September 1987—

Racing (Further Amendment) Act.

On 29 September 1987—

Swan Hill Pioneer Settlement (Amendment) Act.

Fair Trading (Amendment) Act.

- 3 **RACING (FURTHER AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to the amendment made in such Bill by the Council.
- 4 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have insisted on disagreeing with the amendments made and insisted on by the Council in this Bill.

Ordered—That the Message be taken into consideration later this day.

- 5 **PETITIONS**—

RAILWAY MAINTENANCE DEPOT, NUNAWADING—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

* * * *

ST. GEORGE'S HOSPITAL, KEW—The Honourable M. A. Birrell presented a Petition from certain citizens of Victoria praying that the Minister for Health maintain the status of St. George's Hospital, Kew as a public hospital.

* * * *

Severally ordered to lie on the Table.

- 6 **PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Pathology Services Accreditation Act 1984* 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 **NATIONAL MUTUAL ROYAL SAVINGS BANK LIMITED (MERGER) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to provide for the transfer of the banking business conducted by National Mutual Royal Savings Bank Limited to National Mutual Royal Savings

Bank (N.S.W.) Limited 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.

- 8 **ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to amend the *Associations Incorporation Act 1981*, the *Business Names Act 1962*, the *Magistrates (Summary Proceedings) 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.

9 **PAPERS**—

POLICE POWERS OF INVESTIGATION—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the Consultative Committee on Police Powers of Investigation—Identification Tests and Procedures—Fingerprinting.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.

The Honourable B. A. Chamberlain moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

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

Annual Reporting Act 1983—Treasurer's advice of 23 September 1987 of direction to extend the period for submission of the annual reports of certain public bodies for the year 1986–87 and the reasons therefor.

Education Act 1958—Minister's certificate regarding the resumption of land at Rowville.

Industrial Relations Act 1979—Report of the Acting President of the Industrial Relations Commission on the operation of the Act for the year ended 31 October 1986.

Members of Parliament (Register of Interests) Act 1978—Cumulative summary of returns, September 1987.

National Tennis Centre Trust—Report and financial statements for the year 1986–87.

Parliamentary Committees Act 1968—Minister's response to recommendations in Economic and Budget Review Committee's report upon State-Federal Financial Relations.

State Board of Education—Report upon Transport Policy in relation to Integration of Students with Impairments, Disabilities or Problems in Schooling.

Statutory Rules under the following Acts of Parliament:

Accident Compensation Act 1985—Nos. 237 and 250.

Annual Reporting Act 1983—Nos. 248 and 249.

Construction Industry Long Service Leave Act 1983—No. 247.

Consumer Affairs Act 1972—No. 246, together with copies of the following documents, which by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

AS 1182–1980 Size Coding Scheme for Infants' and Children's Clothing (Underwear and Outerware).

AS 1249–1983 Children's Nightclothes having reduced Fire Hazard.

Statutory Rules—*continued*

Friendly Societies Act 1986—No. 242.

Intellectually Disabled Persons' Services Act 1986—No. 243.

Nurses Act 1958—No. 244.

Port of Portland Authority Act 1958—No. 227.

Retail Tenancies Act 1986—No. 245.

Town and Country Planning Act 1961—

Flinders—Shire of Flinders Planning Scheme 1962—Amendments No. 214, 1986; and No. 221.

Geelong Regional Planning Scheme—Amendments No. 159, Part 2, 1986; No. 167, 1986; No. 184, Part 2, 1987; and No. 189, 1987.

Knox—City of Knox Planning Scheme 1965—Amendments Nos. 273, 290 and 291, 1986.

Lorne Planning Scheme—Amendment No. 14.

Melbourne Metropolitan Planning Scheme—Amendments No. 383, Part 3 (with maps); No. 406, Part 3 (with maps); No. 455 (with maps); and No. 488 (with maps).

Mildura—City of Mildura Planning Scheme—Amendment No. 73, Part 1, 1986.

Shepparton—Shire of Shepparton Planning Scheme 1983—Amendments Nos. 12 and 14, 1986.

Tambo—Shire of Tambo (Lakes Entrance) Planning Scheme—Amendment No. 71.

Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 78.

Victorian Curriculum and Assessment Board—Minister's advice of 2 October 1987 of extension of time granted to submit annual report for the year 1986–87 and the reasons therefor.

Youth Parole Board—Report for the year 1985–86.

The Honourable Haddon Storey moved, That the papers tabled by the Acting Clerk, with the exception of Statutory Rules and Planning Schemes under the *Town and Country Planning Act 1961*, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 10 **PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL**—The Order of the Day having been read for the consideration of the Message from the Assembly acquainting the Council that they have insisted on disagreeing with the amendments made and insisted on by the Council in this Bill (for amendments see page 81 *ante*)—

The Honourable D. R. White moved, That the Council do not now insist on their amendments with which the Assembly have insisted on disagreeing.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council do not now insist on their amendments with which the Assembly have insisted on disagreeing.

- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 7 inclusive, be postponed until later this day.

- 12 **SISTERS OF MERCY (WODONGA LAND) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 13 **STATE TRUST CORPORATION OF VICTORIA BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 34

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier (*Teller*)
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid (*Teller*)
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 K. I. M. Wright (*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 Honourable K. I. M. Wright 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.

- 14 **LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 15 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable R. Lawson 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.

- 16 **STATE TRUST CORPORATION OF VICTORIA BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 17 **ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

- 18 **ADJOURNMENT**—The Honourable J. H. Kennan moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.10 p.m., adjourned until tomorrow.

No. 29—Wednesday, 7 October 1987

- 1 The President took the Chair and read the Prayer.
- 2 **APPROPRIATION (1987-88, 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 recurrent services and for certain works and purposes for the financial year 1987-88 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 Honourable D. R. White, 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 **WORKS AND SERVICES (ANCILLARY PROVISIONS No. 2) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make ancillary provisions for certain works and purposes for the financial year 1987-88*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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—RAILWAY MAINTENANCE DEPOT, NUNAWADING**—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

Ordered to lie on the Table.

- 5 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the direction of an Act of Parliament, were laid upon the Table by the Acting Clerk:

Police Service Board—Determinations Nos. 476 to 480.

* * * *

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Acting Clerk pursuant to an Order of the Council on 24 February 1987:

Construction Industry Long Service Leave (Amendment) Act 1986—Section 4—1 October 1987 (*Gazette* No. G 36, 16 September 1987).

Intellectually Disabled Persons' Services Act 1986—Section 78—8 September 1987 (*Gazette* No. S 35, 8 September 1987); Sections 7 to 26, 36 to 44, 53 to 71, 77 and Schedules 3 and 4—1 October 1987 (*Gazette* No. G 37, 23 September 1987).

Local Government (General Amendment) Act 1986—Sections 24, 28 to 30, 32, 34, 40, 44 and 45—1 October 1987 (*Gazette* No. G 38, 30 September 1987).

Mental Health Act 1986—Remaining provisions—1 October 1987 (*Gazette* No. G 38, 30 September 1987).

Racing (Further Amendment) Act 1987—23 September 1987 (*Gazette* No. G 37, 23 September 1987).

Retail Tenancies Act 1986—21 September 1987 (*Gazette* No. G 35, 9 September 1987).

- 6 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.

- 7 **DAYLIGHT SAVING**—The Honourable K. I. M. Wright moved, That this House condemns the Government for extending daylight saving without adhering to undertakings given to Parliament in debating the *Summer Time (Amendment) Act 1983* and, in so doing, giving preference to leisure time activities over the disabilities suffered by the aged, the infirm, the young, shift workers, interstate travellers and the farming community.

Debate ensued.

The Honourable N. B. Reid 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Notice of Motion, General Business, No. 12, be postponed until later this day.

- 9 **STEEL-JAWED TRAPS**—The Honourable D. M. Evans moved, That the Council take note of the Code of Practice relating to the use of small steel-jawed traps and the Notice of Revocation of the Code of Practice relating to the use of steel-jawed traps, tabled in this House on 1 September 1987.

Debate ensued.

Question—put and resolved in the affirmative.

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Notice of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 13 inclusive, be postponed until later this day.

- 11 **PROSTITUTION REGULATION ACT 1986**—The Order of the Day having been read for the consideration of the Proclamation of 11 August 1987 fixing 16 August 1987 as the day on which certain sections of the *Prostitution Regulation Act 1986* came into operation, the Honourable B. A. Chamberlain moved, That the Council take note of the Proclamation.

Debate ensued.

Question—put and resolved in the affirmative.

- 12 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, and Order of the Day, Government Business, No. 1, be postponed until later this day.

- 13 **NATIONAL MUTUAL ROYAL SAVINGS BANK LIMITED (MERGER) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The President ruled the Bill to be a Private Bill.

The Honourable J. H. Kennan 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.

And the Honourable J. H. Kennan having produced a receipt showing that the sum of \$1000 had been paid into the Treasury for the public uses of the State—

The Honourable 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.

- 14 **JOINT SITTING—MONASH UNIVERSITY COUNCIL**—The President announced the receipt of—

- (a) a letter from the Minister for Education requesting that arrangements be made for a Joint Sitting of the Council and the Assembly to recommend Members for appointment to the Monash University Council; and

- (b) a Message from the Assembly acquainting the Council that they had agreed to meet the Council for that purpose and proposing that the place and time of the Joint Sitting be the Assembly Chamber on Wednesday, 14 October 1987 at 6.00 p.m., and desiring the concurrence of the Council.

Ordered—That the Assembly's Message be taken into consideration forthwith.

The Honourable Evan Walker moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend Members of the Parliament of Victoria for appointment to the Monash University Council and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 14 October 1987 at 6.00 p.m.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 5 inclusive, be postponed until later this day.
- 16 **INTELLECTUALLY DISABLED PERSONS' SERVICES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable M. A. Birrell 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.

- 18 **APPROPRIATION (1987-88, No. 1) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **WORKS AND SERVICES (ANCILLARY PROVISIONS No. 2) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **COGNATE DEBATE**—The Honourable D. R. White moved, by leave, That this House authorizes and requires the Honourable the President to permit debate on the

Appropriation (1987–88, No. 1) Bill and the Works and Services (Ancillary Provisions No. 2) Bill to be taken concurrently with further debate on the motion to take note of the 1987–88 Budget Papers.

Question—put and resolved in the affirmative.

- 21 **SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 22 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 9.34 p.m., adjourned until Tuesday next.

A. V. BRAY
Acting Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 2 LEGAL PROFESSION PRACTICE (PROFESSIONAL INDEMNITY) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 3 CRIMES (COMPUTERS) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 4 ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 5 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 6 NATIONAL MUTUAL ROYAL SAVINGS BANK LIMITED (MERGER) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 7 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Lyster).
- 8 BUILDING CONTROL (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—*Resumption of debate.* (Hon. A. J. Hunt).
- *§9 APPROPRIATION (1987-88, No. 1) BILL—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- *§10 WORKS AND SERVICES (ANCILLARY PROVISIONS No. 2) BILL—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- 11 BUDGET PAPERS, 1987-88—Motion to take note of papers—(Hon. D. R. White)—*Resumption of debate.* (Hon. B. A. Chamberlain).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 7 October 1987.

- 2
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
 - (a) The Standing Committee on the Economy and Government;
 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:
 - (a) The Standing Committee on the Economy and Government:
 - Parliament
 - Premier and Cabinet
 - Public Service Board
 - Management and Budget
 - Industry, Technology and Resources.
 - (b) The Standing Committee on Education and Employment:
 - Education
 - Labour
 - Arts
 - Sport and Recreation.
 - (c) The Standing Committee on Law and Local Government:
 - Law
 - Local Government
 - Police and Emergency Services

Consumer Affairs.

(d) The Standing Committee on the Environment and Transport:

Planning and Environment
 Transport
 Housing
 Public Works
 Property and Services.

(e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs
 Conservation, Forests and Lands
 Water Resources.

(f) The Standing Committee on Health and Welfare:

Aboriginal Affairs
 Health
 Community Services
 Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
- (b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing

Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.

- (b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
 - (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
 - (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three

other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee

- considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of

a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.

- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
 - (3) The quorum of the Committee shall be three.
 - (4) The Staffing and Appropriations Committee:
 - (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

9 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create

a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

- 10 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 11 **THE HON. R. LAWSON**—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act 1985* for the year 1985–86.
- 12 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).

- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **PLANNING APPEALS BOARD REPORT, 1986-87**—To be considered.
- 15 **RAPE AND ALLIED OFFENCES—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 16 **MORTGAGEE SALES AND JUDGMENT DEBTS—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 17 **OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1986-87**—To be considered.
- 18 **PATRIOTIC FUNDS COUNCIL REPORT, 1985**—To be considered.
- 19 **SURVEY CO-ORDINATION ACT 1958—SURVEYOR-GENERAL'S REPORT ON PROGRESS AND CO-ORDINATION OF SURVEYS AND ADMINISTRATION OF ACT, 1986-87**—To be considered.
- 20 **MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1987**—To be considered.
- 21 **STATE BOARD OF EDUCATION REPORT, 1986-87**—To be considered.
- 22 **POLICE POWERS OF INVESTIGATION—IDENTIFICATION TESTS AND PROCEDURES—FINGERPRINTING—CONSULTATIVE COMMITTEE'S REPORT**—To be considered.
- 23 **ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF EXTENSION OF REPORTING PERIOD**—To be considered.
- 24 **EDUCATION ACT 1958—MINISTER'S CERTIFICATE REGARDING RESUMPTION OF LAND AT ROWVILLE**—To be considered.
- 25 **INDUSTRIAL RELATIONS ACT 1979—INDUSTRIAL RELATIONS COMMISSION ACTING PRESIDENT'S REPORT, 1985-86**—To be considered.
- 26 **MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1987**—To be considered.
- 27 **NATIONAL TENNIS CENTRE TRUST REPORT, 1986-87**—To be considered.
- 28 **STATE-FEDERAL FINANCIAL RELATIONS—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT**—To be considered.
- 29 **TRANSPORT POLICY IN RELATION TO INTEGRATION OF STUDENTS WITH IMPAIRMENTS, DISABILITIES OR PROBLEMS IN SCHOOLING—STATE BOARD OF EDUCATION'S REPORT**—To be considered.
- 30 **VICTORIAN CURRICULUM AND ASSESSMENT BOARD—MINISTER'S ADVICE OF EXTENSION OF TIME TO SUBMIT REPORT FOR 1986-87 AND REASONS THEREFOR**—To be considered.
- 31 **YOUTH PAROLE BOARD REPORT, 1985-86**—To be considered.
- *32 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).

WEDNESDAY, 14 OCTOBER

At 6.00 p.m.

- * **JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Monash University Council.**

A. V. BRAY
Acting Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That the following Sessional Order be agreed to by the Council:
 - 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:
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 - (b) The Standing Committee on Education and Employment;
 - (c) The Standing Committee on Law and Local Government;
 - (d) The Standing Committee on the Environment and Transport;
 - (e) The Standing Committee on Primary Industry and Resources; and
 - (f) The Standing Committee on Health and Welfare:
 - 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the

allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

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Public Service Board
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Industry, Technology and Resources.

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Education
Labour
Arts
Sport and Recreation.

(c) The Standing Committee on Law and Local Government:

Law
Local Government
Police and Emergency Services
Consumer Affairs.

(d) The Standing Committee on the Environment and Transport:

Planning and Environment
Transport
Housing
Public Works
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(e) The Standing Committee on Primary Industry and Resources:

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Conservation, Forests and Lands
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Aboriginal Affairs
Health
Community Services
Ethnic Affairs.

- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
- (b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
- 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
- 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
- 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.

- 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
- 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
(b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
- 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
(b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.
(c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
(d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
 - (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.

- (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.

11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.

12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.

13 In the conduct of business, a Standing Committee—

- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
- (b) shall have regard to the need to conduct and complete inquiries expeditiously;
- (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;
- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
- (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
- (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
- (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
- (h) in the preparation and presentation of its report shall make such

provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—

and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—

- (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
- (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
- (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.

14 In considering any Bill or matter referred to it under paragraph 12—

- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
- (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.

15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.

16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.

17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.

18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.

19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise

be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.

- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.

21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.

7 THE HON. J. V. C. GUEST—To move, That the following be adopted as a Standing Order of the Legislative Council:

- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.
- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.

(4) The Staffing and Appropriations Committee:

- (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
- (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

8 THE HON. R. J. LONG—To move, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

9 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

10 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.

11 THE HON. R. LAWSON—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act* 1985 for the year 1985-86.

12 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.

*13 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.

ORDERS OF THE DAY

1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.

* Indicates new entry.

- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. R. I. Knowles).*
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. M. J. Sandon).*
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. T. Pullen).*
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. H. R. Ward).*
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. C. F. Van Buren).*
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. H. R. Ward).*
- 14 **RAPE AND ALLIED OFFENCES—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 15 **MORTGAGEE SALES AND JUDGMENT DEBTS—LAW REFORM COMMISSION'S REPORT AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 16 **OCCUPATIONAL HEALTH AND SAFETY COMMISSION REPORT, 1986-87**—To be considered.
- 17 **PATRIOTIC FUNDS COUNCIL REPORT, 1985**—To be considered.
- 18 **SURVEY CO-ORDINATION ACT 1958—SURVEYOR-GENERAL'S REPORT ON PROGRESS AND CO-ORDINATION OF SURVEYS AND ADMINISTRATION OF ACT, 1986-87**—To be considered.
- 19 **MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1987**—To be considered.
- 20 **STATE BOARD OF EDUCATION REPORT, 1986-87**—To be considered.

- 21 POLICE POWERS OF INVESTIGATION—IDENTIFICATION TESTS AND PROCEDURES—FINGERPRINTING—CONSULTATIVE COMMITTEE'S REPORT—To be considered.
- 22 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF EXTENSION OF REPORTING PERIOD—To be considered.
- 23 EDUCATION ACT 1958—MINISTER'S CERTIFICATE REGARDING RESUMPTION OF LAND AT ROWVILLE—To be considered.
- 24 INDUSTRIAL RELATIONS ACT 1979—INDUSTRIAL RELATIONS COMMISSION ACTING PRESIDENT'S REPORT, 1985-86—To be considered.
- 25 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1987—To be considered.
- 26 NATIONAL TENNIS CENTRE TRUST REPORT, 1986-87—To be considered.
- 27 STATE-FEDERAL FINANCIAL RELATIONS—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 28 TRANSPORT POLICY IN RELATION TO INTEGRATION OF STUDENTS WITH IMPAIRMENTS, DISABILITIES OR PROBLEMS IN SCHOOLING—STATE BOARD OF EDUCATION'S REPORT—To be considered.
- 29 VICTORIAN CURRICULUM AND ASSESSMENT BOARD—MINISTER'S ADVICE OF EXTENSION OF TIME TO SUBMIT REPORT FOR 1986-87 AND REASONS THEREFOR—To be considered.
- 30 YOUTH PAROLE BOARD REPORT, 1985-86—To be considered.
- 31 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- *32 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1986-87—To be considered.
- *33 FORESTS (BOWATER-SCOTT AGREEMENT) ACT 1986—MINISTER'S REPORT OF AMENDMENT TO AGREEMENT—To be considered.
- *34 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1986-87—To be considered.
- *35 STATE BANK ACCOUNTS, 1986-87—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 REFUSAL OF MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading.
- *2 FISHERIES (ABALONE) BILL—(*Hon. J. E. Kirner*)—Second reading.
- *3 LIQUOR CONTROL BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- 4 ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 5 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 6 NATIONAL MUTUAL ROYAL SAVINGS BANK LIMITED (MERGER) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 7 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Lyster*).

- 8 **BUILDING CONTROL (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 9 **CRIMES (COMPUTERS) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- § 10 **APPROPRIATION (1987-88, No. 1) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. M. Hallam).*
- § 11 **WORKS AND SERVICES (ANCILLARY PROVISIONS No. 2) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. R. M. Hallam).*
- § 12 **BUDGET PAPERS, 1987-88**—Motion to take note of papers—(*Hon. D. R. White*)—*Resumption of debate. (Hon. R. M. Hallam).*

* * * *

At 6.00 p.m.

JOINT SITTING IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Monash University Council.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Cocksedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 30 and 31

No. 30—Tuesday, 13 October 1987

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker 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:

Public Holidays (Bicentennial Celebrations) Act.

- 3 **LIQUOR CONTROL BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the sale, disposal and consumption of liquor and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 PETITIONS—

RAILWAY MAINTENANCE DEPOT, NUNAWADING—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

* * * *

FOOD IRRADIATION—The Honourable J. McLean presented a Petition from certain citizens of Victoria praying that action be taken to ban the importation of radioactive Cobalt 60 or other radioactive substances for the purpose of food irradiation, and to disallow the irradiation of food and the marketing of irradiated food.

* * * *

Severally ordered to lie on the Table.

- 5 **INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to amend the *Infertility (Medical Procedures) Act 1984* 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 **REFUSAL OF MEDICAL TREATMENT BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to create an offence of medical trespass, to make other provision concerning the refusal of medical treatment, to amend the *Magistrates' Courts Act 1971* 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 **FISHERIES (ABALONE) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Fisheries Act 1968* to improve the management of the abalone fishery 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.

8 PAPERS—

ECONOMIC AND BUDGET REVIEW COMMITTEE—FIXED INTEREST SECURITY SWITCHES—The Honourable D. E. Henshaw presented a Report from the Economic and Budget Review Committee upon the Accounting Treatment of Fixed Interest Security Switches with Special Reference to the Construction Industry Long Service Leave Board, together with Appendices.

Ordered to lie on the Table and to be printed.

* * * *

PAPERS PURSUANT TO STATUTE—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 1986–87.

Forests (Bowater–Scott Agreement) Act 1986—Minister's report of 8 October 1987 of amendment to Bowater–Scott Agreement.

National Parks Advisory Council—Report for the year 1986–87.

State Bank—Accounts for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

Chiropractors and Osteopaths Act 1978—No. 253.

Companies (Application of Laws) Act 1981—No. 251.

Dental Technicians Act 1972—No. 255, together with a copy of the Public Service Determinations 1985, which by section 32 of the *Interpretation of Legislation Act 1984* is also required to be laid upon the Table.

Drugs, Poisons and Controlled Substances Act 1981—No. 254.

Food Act 1984—No. 252, together with a copy of the National Health and Medical Research Council Food Standards Code, which by section 32 of the *Interpretation of Legislation Act 1984* is also required to be laid upon the Table.

Land Tax Act 1958—No. 259.

Mental Health Act 1959—No. 256.

Mental Health Act 1986—No. 257.

Public Service Act 1974—No. 258; and PSD No. 45.

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments No. 385, Part 2 (with maps); No. 431, Part 1; No. 467, Part 1 (with maps); No. 484 (with maps); No. 485; No. 486; No. 487 (with maps); and No. 489.

The Honourable Haddon Storey moved, That the Reports and Accounts tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

9 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL—ORDER DISCHARGED

—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable D. R. White moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

10 INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL (No. 2)

—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

AYES, 32

The Hon. M. J. Arnold
 M. A. Birrell
 G. P. Connard
 Joan Cocksedge
 R. S. de Fegely
 J. L. Dixon
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 J. G. Miles
 B. A. Murphy (*Teller*)
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Marie Tehan (*Teller*)
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 6

The Hon. W. R. Baxter (*Teller*)
 B. A. Chamberlain
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

And so it was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 11 **LEGAL PROFESSION PRACTICE (PROFESSIONAL INDEMNITY) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 12 **LIQUOR CONTROL BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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.

- 13 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 3 to 8 inclusive, be postponed until later this day.

- 14 **APPROPRIATION (1987–88, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions No. 2) Bill and the motion to take note of the 1987–88 Budget Papers having been authorized to be debated concurrently pursuant to an Order of the Council on 7 October 1987]—

Debate resumed.

The Honourable R. M. Hallam 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 **BLF (DE-RECOGNITION) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘BLF (De-recognition) Act 1985’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

Accordingly, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

Question—put.

The Council divided.

AYES, 38

The Hon. M. J. Arnold
 W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 R. S. de Fegely
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou

NOES, 2

The Hon. G. P. Connard (*Teller*)
 H. R. Ward (*Teller*)

R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen (*Teller*)
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty (*Teller*)
 Evan Walker
 D. R. White
 K. I. M. Wright

And so it was resolved in the affirmative.

Bill read a second time and, by leave, 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 Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

WEDNESDAY, 14 OCTOBER 1987

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.03 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 31—Wednesday, 14 October 1987

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker 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:
BLF (De-recognition) (Amendment) Act.
- 3 **PETITION—RAILWAY MAINTENANCE DEPOT, NUNAWADING**—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that

the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

Ordered to lie on the Table.

4 PAPERS—

ECONOMIC AND BUDGET REVIEW COMMITTEE—RELATIONSHIP BETWEEN COMMITTEE AND THE AUDITOR-GENERAL'S OFFICE—The Honourable D. E. Henshaw presented a Report from the Economic and Budget Review Committee upon the Relationship between the Economic and Budget Review Committee and the Office of the Auditor-General, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

* * * *

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

Law Reform Commission—

Report on Obsolete Legislation.

Report on Plain English and the Law.

State Electricity Commission—Report and financial statements for the year 1986–87.

Town and Country Planning Act 1961—

Alexandra—Shire of Alexandra Planning Scheme—Amendment No. 22.

Bacchus Marsh Planning Scheme—Amendment No. 40, Part 2.

Ballaarat—City of Ballaarat Planning Scheme—Amendment No. 100.

Cobram—Shire of Cobram Planning Scheme 1979—Amendments Nos. 21 and 24, 1986; and No. 26, 1987.

Cranbourne—Shire of Cranbourne (Western Port) Planning Scheme—Amendment No. 42, 1986.

Geelong Regional Planning Scheme—Amendments No. 179, 1986; and No. 185, 1987.

Korumburra—Shire of Korumburra Planning Scheme—Amendment No. 44.

Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 193, 224 and 230.

Narracan—Shire of Narracan Planning Scheme 1984 (with eight maps).

Rosedale—

Shire of Rosedale Planning Scheme—Amendment No. 55, 1986.

Shire of Rosedale Planning Scheme Part 2—Amendments No. 23, 1986; No. 24; and No. 25, 1986.

Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos. 53, 82 and 87.

Waratah Bay Planning Scheme—Amendment No. 19, 1984.

Transport Accident Commission—Report and financial statements for the year 1986–87.

Victorian Development Fund—Report for the year 1986–87, pursuant to the Public Account Act 1958.

The Honourable Haddon Storey 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 5 inclusive, be postponed until later this day.

- 6 **COGNATE MOTIONS**—The Honourable J. V. C. Guest moved, by leave, That this House authorizes and requires the Honourable the President to permit Notices of Motion, General Business, Nos. 6 and 7, to be moved and debated concurrently.

Question—put and resolved in the affirmative.

- 7 **STANDING COMMITTEES AND STAFFING AND APPROPRIATIONS COMMITTEE**—Pursuant to the foregoing Order of the Council, the Honourable J. V. C. Guest moved—

A. That the following Sessional Order be agreed to by the Council:

- 1 The following Legislative Estimates and General Purpose Standing Committees of the Council shall be appointed:

- (a) The Standing Committee on the Economy and Government;
- (b) The Standing Committee on Education and Employment;
- (c) The Standing Committee on Law and Local Government;
- (d) The Standing Committee on the Environment and Transport;
- (e) The Standing Committee on Primary Industry and Resources; and
- (f) The Standing Committee on Health and Welfare.

- 2 Unless otherwise ordered, the matters to be inquired into and reported on by the Standing Committees, whether in relation to legislation, regulations, administration, estimates of government expenditure, statutory authorities, petitions or any other activity, institution or circumstance, shall be referred to or otherwise dealt with by the Standing Committee which is appropriate having regard to the allocation of departmental matters to the respective Committees which shall, unless otherwise ordered, be as follows:

- (a) The Standing Committee on the Economy and Government:

Parliament
Premier and Cabinet
Public Service Board
Management and Budget
Industry, Technology and Resources.

- (b) The Standing Committee on Education and Employment:

Education
Labour
Arts
Sport and Recreation.

- (c) The Standing Committee on Law and Local Government:

Law
Local Government
Police and Emergency Services
Consumer Affairs.

- (d) The Standing Committee on the Environment and Transport:

Planning and Environment
Transport
Housing
Public Works
Property and Services.

- (e) The Standing Committee on Primary Industry and Resources:

Agriculture and Rural Affairs
Conservation, Forests and Lands
Water Resources.

- (f) The Standing Committee on Health and Welfare:
Aboriginal Affairs
Health
Community Services
Ethnic Affairs.
- 3 (a) Each Committee shall consist of six members of whom not more than three shall be Government members.
(b) The member proposing the motion for the appointment of a Committee may nominate the membership of the Committee when moving the motion and in default of such selection the membership of a Committee shall be selected by ballot.
 - 4 Members of each Committee shall hold office until the Council otherwise orders or until the expiry of the terms of office of not less than two of the Committee members, whichever event first occurs.
 - 5 A Committee shall have power to appoint sub-committees consisting of three or more of its members or, for the purpose of taking evidence or seeking specific information, of one or more members.
 - 6 A member of the House, though not a member of a Standing Committee, may, unless the Committee otherwise orders, participate in its public sessions and question witnesses whether in public or closed session, but shall not vote. For the purposes of this paragraph, a sub-committee may exercise the powers of the Committee subject to any express ruling of the Committee.
 - 7 The quorum of a Committee and, unless the Committee shall nominate a greater number, of a sub-committee, shall be the lowest number which is not less than half the number of the membership of the Committee or sub-committee.
 - 8 (a) The membership of a Committee may be added to for the purposes of a particular inquiry, the maximum number of such additional members to be three, except in the case of a review of proposed legislation when not more than six additional members may be appointed.
(b) The Council may at any time appoint substitutes for members of a Committee subject to such terms and conditions as are determined by the Council as to the occasion or duration of the substitutions, the members for whom another member may be substituted, or any other matter.
 - 9 (a) Each Committee shall appoint a Chairman and Deputy Chairman and for the purposes of references under paragraph 12, a Chairman, who shall not, without the consent of all members of the Committee be the first-mentioned Chairman of the Standing Committee, and shall be known as Chairman of the Estimates Committee. Unless all members of the Committee consent, the positions of Chairman and Deputy Chairman of a Standing Committee, and the position of Chairman of a Standing Committee and Chairman of the corresponding Estimates Committee, shall not both be held by Government members or non-Government members of the Committee.
(b) In the absence of a Chairman and Deputy Chairman appointed pursuant to this paragraph and in default of nomination by the Chairman of a member to act in his place, the Committee shall appoint an Acting Chairman who may exercise all the powers of the Chairman.

- (c) The Chairman of a sub-committee may be appointed by the Committee or, if the Committee has made no such appointment, by the sub-committee and, in the absence of the Chairman, an Acting Chairman shall be appointed by the sub-committee who may exercise all the powers of the Chairman.
 - (d) The Chairman of a Committee and of any sub-committee shall have a deliberative vote and, in relation to procedural matters only, a casting vote. A casting vote may be used for the purpose of bringing any report or matter before the Council where the Committee is evenly divided.
- 10 In addition to its power and duty to consider any matter referred to it on motion by the Council—
- (a) a Standing Committee may inquire into and report upon any matter consequential upon or connected with any previous inquiry or report;
 - (b) a Standing Committee shall consider and report within five sitting days of the Council on any Bill or regulation or any part thereof which any member supported by not less than three other members rising in their places shall request the Committee to consider. Such report may be either a final or preliminary report. Subject to any order of the Council, the Committee may, after notice of its intention has been given to the President, continue with such inquiry and may call for public evidence and submissions.
 - (c) a Standing Committee shall consider and take such action as it thinks fit by way of inquiry or report in respect of all annual or other reports or papers of or from government departments, public authorities and any other persons or bodies for whom a Minister is responsible to the Parliament.
- 11 Subject to any order of the Council, any inquiry or any part of an inquiry may be transferred by resolution of both Committees from one Committee to any other Standing Committee with the consent of the President and all members of the first-mentioned committee. In giving his consent the President shall consider whether the proposed transfer might conveniently be brought before the Council for decision.
- 12 All Bills authorizing the expenditure or appropriation of public moneys, including the moneys of commercial enterprises or authorities owned or controlled by the State of Victoria, all Bills authorizing the borrowing of money or guaranteeing or providing for the guaranteeing of any pecuniary liability, the annual estimates and all other published estimates of government expenditures shall on motion or, if no such motion is moved, on the request of any member supported by three other members rising in their places, be referred to the Standing Committee which is appropriate having regard to paragraph 2 of this Order, for examination and report.
- 13 In the conduct of business, a Standing Committee—
- (a) shall give priority to express directions or requests of the Council whether as to the subject-matter of its inquiries, time for reporting or otherwise;
 - (b) shall have regard to the need to conduct and complete inquiries expeditiously;
 - (c) shall seek to avoid duplication of the work of Joint Parliamentary Investigatory Committees (unless the Committee or the Council consider it desirable) and also of any select committee of the Council; and any question arising in connection with any matters specifically referred to such select committee for examination and report may be referred to the House for determination;

- (d) may, provided a quorum is present, proceed to the dispatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
 - (e) shall be empowered to print from day to day such papers and evidence as may be ordered by it. A daily *Hansard* report of all proceedings shall be made and in the case of such proceedings as shall take place in public shall be published as soon as practicable;
 - (f) may sit during any suspension of the House but shall not sit except by special order or, in respect of a sub-committee of not more than two members, the special consent of the President while the House is actually sitting;
 - (g) shall have leave to report from time to time its proceedings and the evidence and such recommendations as it thinks fit, and shall in the ordinary course make regular reports as to the progress of its proceedings;
 - (h) in the preparation and presentation of its report shall make such provision as is practicable for the inclusion or attachment of any member's reservations, dissent or minority report—
and, for the effective working of the Committees and in order to provide public information about the work of the Council and its Committees—
 - (i) a Committee or any sub-committee shall have power to send for and examine persons, papers, objects, and records, to move from place to place, and to meet and transact business in public or private session and notwithstanding any prorogation of the Parliament or dissolution of the Legislative Assembly;
 - (j) unless otherwise ordered by the House, all records, objects and documents received by a Committee during its inquiry shall remain in the custody of the House after the completion of that Committee's inquiry;
 - (k) members of the public and representatives of the news media may attend and report publicly or privately any public session of a Standing Committee unless the Committee otherwise orders.
- 14 In considering any Bill or matter referred to it under paragraph 12—
- (a) a Standing Committee may subject to any order of the House determine its own procedures, including the order in which it shall examine any proposed expenditures and, consistently with any such determination, the Chairman of any Standing Committee considering estimates of government expenditure shall call on divisions of expenditure in order and declare the proposed expenditure open for examination;
 - (b) a Standing Committee may ask for any explanations from Ministers of State in the Legislative Council or the Legislative Assembly or officers of government departments or public bodies, relating to items of proposed expenditure or any matter dealt with in any Bill or other document which is the subject of the Committee's examination.
- 15 A Standing Committee shall be provided with all necessary staff, facilities and resources and shall be empowered to appoint persons with specialist knowledge for the purposes of the Committee, with the approval of the President.
- 16 Notwithstanding any other provisions of this Order or of the Standing Orders no motion to read a Bill or to amend such motion, or to consider

- or amend a Bill in a Committee of the Whole House, shall be voted on while the Bill is the subject of inquiry by a Standing Committee.
- 17 In the case of any Bill the member moving the second reading thereof may by leave table his written reasons for proposing the Bill and any explanation thereof, instead of delivering a speech thereon, and such reasons and explanation shall thereupon be circulated to all members and, with the consent of the President, incorporated in *Hansard*.
- 18 In the case of any Bill which has been transmitted from the Legislative Assembly the member moving the second reading shall draw attention to any new matters in the proposed legislation since its second reading in the Legislative Assembly and shall avail himself of the procedure provided in paragraph 17 unless in drawing attention to new matters he shall state his intention not to do so.
- 19 Where a request is made by Message from the Legislative Assembly that a Bill or any part of a Bill which has not yet been passed by that House should be the subject of a public inquiry by or otherwise be reviewed by the Legislative Council or one of its Standing Committees. Such Bill and such Message shall, unless the House otherwise orders, be deemed to be referred to the appropriate Committee for report, within two sitting days of such reference, as to the desirability or otherwise of acceding to such request and, unless otherwise ordered, the Committee may proceed after it has so reported to conduct the requested inquiry or review.
- 20 (a) The Standing Committee on Law and Local Government may make inquiry and report, in respect of the clauses of Bills introduced into the Council, and in respect of Acts of the Parliament, whether such Bills or Acts, by express words or otherwise—
- (i) trespass unduly on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make such rights, liberties and/or obligations unduly dependent upon non-reviewable administrative decisions;
 - (iv) inappropriately delegate legislative power; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.
- (b) The Committee, for the purpose of reporting upon the clauses of a Bill when the Bill has been introduced into the Council, may consider any proposed law or other document or information available to it, notwithstanding that such proposed law, document or information has not been presented to the Council.
- (c) Subject to any order of the House and to the provisions of this paragraph, the Committee shall consider and report upon the clauses of any Bill which is referred to it in writing stating their reasons by any four members of the Council.
- (d) Where, in accordance with paragraph 10 or otherwise, a Bill has been referred to any other Standing Committee for consideration and report, the provisions of this paragraph shall apply to that other Standing Committee in respect of that Bill if the Chairmen of the respective Committees so agree.
- 21 This Order shall take effect according to its terms notwithstanding any provisions of the Standing Orders.
- B. That the following be adopted as a Standing Order of the Legislative Council:
- 307A. (1) There shall be appointed at the commencement of each Parliament a Committee of the House to be called the Staffing and Appropriations

Committee consisting of the President, Chairman of Committees, Leader of the Government or his nominee from time to time, Leader of the Opposition or his nominee from time to time, Leader of the Third party or his nominee from time to time and two other Members.

- (2) The President shall be the Chairman of the Committee and the Chairman of Committees shall be Deputy Chairman. In the absence of the Chairman and Deputy Chairman the Committee may appoint an Acting Chairman.
- (3) The quorum of the Committee shall be three.
- (4) The Staffing and Appropriations Committee:
 - (a) shall regularly consider and report to the Council on all matters concerning the staffing, accommodation and appropriations for the Council and its committees; and
 - (b) shall be responsible for the preparation of estimates of expenditure and for recommending the appropriation to be advised by the President as necessary for the proper functioning of the Council and its committees.

Debate ensued.

The Honourable J. E. Kirner (for the Honourable Evan 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.

8 OMBUDSMAN'S RECOMMENDATIONS—BLUE ROCK DAM AND 150TH ANNIVERSARY CELEBRATIONS SECRETARIAT—The Honourable R. J. Long moved, That the respective resolutions adopted by this House on 29 April 1987—

- (a) condemning the Government for rejecting the Ombudsman's recommendation as to inadequate compensation for properties acquired at Blue Rock and calling for the injustice to be remedied; and
- (b) condemning the Government for rejecting the Ombudsman's finding as to compensation for unreasonable termination of services with Victoria's 150th Anniversary Celebrations Secretariat and calling for payment of appropriate amounts—

be conveyed to the Assembly with a Message desiring their concurrence therein.

Question—put and resolved in the affirmative.

9 BUSINESS POSTPONED—Ordered—That the consideration of the remaining Notices of Motion and Orders of the Day, General Business, and Order of the Day, Government Business, No. 1, be postponed until later this day.

10 FISHERIES (ABALONE) BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable R. S. de Fegely 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 LIQUOR CONTROL BILL—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Interruption—

- 12 **JOINT SITTING**—The President announced that the time had arrived for the Joint Sitting with the Assembly to recommend Members for appointment to the Council of the Monash University.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that, at the Joint Sitting, the Honourable James Vincent Chester Guest, M.L.C., Dr Gerard Marshall Vaughan, M.P., and Mr Thomas William Wallace M.P. were chosen to be recommended for appointment.

- 13 **LIQUOR CONTROL BILL**—

Debate continued.

The Honourable D. R. White (for the Honourable M. J. Arnold) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 9 inclusive, be postponed until later this day.

- 15 **APPROPRIATION (1987–88, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions No. 2) Bill and the motion to take note of the Budget Papers, 1987–88, having been authorized to be debated concurrently pursuant to an Order of the Council on 7 October 1987]—

Debate resumed.

The Honourable 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.

- 16 **LIQUOR CONTROL BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Question—put and resolved in the affirmative.

Ordered—That the Bill be committed to a Committee of the whole on the next day of meeting.

- 17 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 27 October 1987.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 9.31 p.m., adjourned until Tuesday, 27 October 1987.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 **THE HON. EVAN WALKER**—To move, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and the General business shall take precedence of Government business on Wednesdays be suspended until the end of November and that until the end of November, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of General business.

ORDERS OF THE DAY

- 1 **FISHERIES (ABALONE) BILL**—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 2 **REFUSAL OF MEDICAL TREATMENT BILL**—(*Hon. J. H. Kennan*)—Second reading.
- 3 **LIQUOR CONTROL BILL**—(*from Assembly—Hon. D. R. White*)—To be committed.
- 4 **ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 **PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 6 **NATIONAL MUTUAL ROYAL SAVINGS BANK LIMITED (MERGER) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 **LORD MAYOR'S COMMUNITY AID BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Lyster).*
- 8 **BUILDING CONTROL (AMENDMENT) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 9 **CRIMES (COMPUTERS) BILL**—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- § 10 **APPROPRIATION (1987-88, No. 1) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- § 11 **WORKS AND SERVICES (ANCILLARY PROVISIONS No. 2) BILL**—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- § 12 **BUDGET PAPERS, 1987-88**—Motion to take note of papers—(*Hon. D. R. White*)—*Resumption of debate. (Hon. Haddon Storey).*

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 7 October 1987.

GENERAL BUSINESS**NOTICES OF MOTION**

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. R. LAWSON**—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act* 1985 for the year 1985-86.
- 9 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.

- 10 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. R. I. Knowles).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF RETURNS, JUNE 1987—To be considered.
- 15 STATE BOARD OF EDUCATION REPORT, 1986-87—To be considered.
- 16 POLICE POWERS OF INVESTIGATION—IDENTIFICATION TESTS AND PROCEDURES—FINGERPRINTING—CONSULTATIVE COMMITTEE'S REPORT—To be considered.

- 17 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICE OF EXTENSION OF REPORTING PERIOD—To be considered.
- 18 EDUCATION ACT 1958—MINISTER'S CERTIFICATE REGARDING RESUMPTION OF LAND AT ROWVILLE—To be considered.
- 19 INDUSTRIAL RELATIONS ACT 1979—INDUSTRIAL RELATIONS COMMISSION ACTING PRESIDENT'S REPORT, 1985-86—To be considered.
- 20 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—CUMULATIVE SUMMARY OF RETURNS, SEPTEMBER 1987—To be considered.
- 21 NATIONAL TENNIS CENTRE TRUST REPORT, 1986-87—To be considered.
- 22 STATE-FEDERAL FINANCIAL RELATIONS—MINISTER'S RESPONSE TO RECOMMENDATIONS IN ECONOMIC AND BUDGET REVIEW COMMITTEE'S REPORT—To be considered.
- 23 TRANSPORT POLICY IN RELATION TO INTEGRATION OF STUDENTS WITH IMPAIRMENTS, DISABILITIES OR PROBLEMS IN SCHOOLING—STATE BOARD OF EDUCATION'S REPORT—To be considered.
- 24 VICTORIAN CURRICULUM AND ASSESSMENT BOARD—MINISTER'S ADVICE OF EXTENSION OF TIME TO SUBMIT REPORT FOR 1986-87 AND REASONS THEREFOR—To be considered.
- 25 YOUTH PAROLE BOARD REPORT, 1985-86—To be considered.
- 26 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- 27 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1986-87—To be considered.
- 28 FORESTS (BOWATER-SCOTT AGREEMENT) ACT 1986—MINISTER'S REPORT OF AMENDMENT TO AGREEMENT—To be considered.
- 29 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1986-87—To be considered.
- 30 STATE BANK ACCOUNTS, 1986-87—To be considered.
- *31 OBSOLETE LEGISLATION—LAW REFORM COMMISSION'S REPORT—To be considered.
- *32 PLAIN ENGLISH AND THE LAW—LAW REFORM COMMISSIONS REPORT—To be considered.
- *33 STATE ELECTRICITY COMMISSION REPORT, 1986-87—To be considered.
- *34 TRANSPORT ACCIDENT COMMISSION REPORT, 1986-87—To be considered.
- *35 VICTORIAN DEVELOPMENT FUND—REPORT, 1986-87, PURSUANT TO PUBLIC ACCOUNT ACT 1958—To be considered.
- φ*36 STANDING COMMITTEES—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ*37 STAFFING AND APPROPRIATIONS COMMITTEES—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading.
- *2 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading.
- 3 LIQUOR CONTROL BILL—(*from Assembly—Hon. D. R. White*)—To be committed.
- 4 ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—To be further considered in Committee.
- *5 ROAD SAFETY (AMENDMENT) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. R. Lawson).*
- *6 METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. N. B. Reid).*
- *7 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 8 FISHERIES (ABALONE) BILL—(*Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. R. S. de Fegely).*
- 9 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 10 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Lyster).*
- 11 CRIMES (COMPUTERS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- §12 APPROPRIATION (1987-88, No. 1) BILL—(*from Assembly—Hon. D. R. White*)—To be further considered in Committee.
- §13 WORKS AND SERVICES (ANCILLARY PROVISIONS No. 2) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—Question to be put.
- §14 BUDGET PAPERS, 1987-88—Motion to take note of papers—(*Hon. D. R. White*)—Question to be put.

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 7 October 1987.

- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. R. LAWSON—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act* 1985 for the year 1985-86.
- 9 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 10 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- *11 THE HON. HADDON STOREY—To move,
 - (a) That a Select Committee of six Members be appointed to enquire into and report upon all aspects of the operation of WorkCare legislation in this State, including its administration by the Accident Compensation Commission, the Accident Compensation Tribunal and the Victorian Accident Rehabilitation Council.

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- (b) That the Committee shall give priority to a review of the transitional proposals contained in the Accident Compensation (Amendment) Bill as introduced into the Assembly on 17 September 1987 regarding—
- contributions towards compensation paid by the Accident Compensation Commission;
 - damages recovered in a common law proceeding; and
 - supplementation of payments from the Accident Compensation Fund;
- and the Committee shall report its findings on these matters no later than March 1988.
- (c) That the Committee be required to report at the end of each quarter for the duration of the Inquiry.
- (d) That four members of the Committee shall constitute a quorum of the Committee.
- (e) That the Committee may sit at such times and in such places as seems most convenient for the proper and speedy despatch of business.
- (f) That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of Chairman when the Chairman is not present at a meeting of the Committee.
- (g) That the Committee may send for persons, papers and records.
- (h) That the Committee may sit in public or in private as thought appropriate from time to time.
- (i) That the Committee may authorise the publication of any evidence taken by it and any document presented to it.
- (j) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES**—PETITION—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).

- 23 YOUTH PAROLE BOARD REPORT, 1985-86—To be considered.
- 24 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- 25 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1986-87—To be considered.
- 26 FORESTS (BOWATER-SCOTT AGREEMENT) ACT 1986—MINISTER'S REPORT OF AMENDMENT TO AGREEMENT—To be considered.
- 27 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1986-87—To be considered.
- 28 STATE BANK ACCOUNTS, 1986-87—To be considered.
- 29 OBSOLETE LEGISLATION—LAW REFORM COMMISSION'S REPORT—To be considered.
- 30 PLAIN ENGLISH AND THE LAW—LAW REFORM COMMISSION'S REPORT—To be considered.
- 31 STATE ELECTRICITY COMMISSION REPORT, 1986-87—To be considered.
- 32 TRANSPORT ACCIDENT COMMISSION REPORT, 1986-87—To be considered.
- 33 VICTORIAN DEVELOPMENT FUND—REPORT, 1986-87, PURSUANT TO PUBLIC ACCOUNT ACT 1958—To be considered.
- φ34 STANDING COMMITTEES—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ35 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- *36 RECYCLING AND LITTER ADVISORY COMMITTEE'S FIRST REPORT—To be considered.
- *37 ACCIDENT COMPENSATION COMMISSION REPORT, 1986-87—To be considered.
- *38 ACCIDENT COMPENSATION TRIBUNAL REPORT, 1986-87—To be considered.
- *39 ANTI-CANCER COUNCIL REPORT, 1986-87—To be considered.
- *40 AUDITOR-GENERAL'S OFFICE REPORT, 1986-87—To be considered.
- *41 CAPITAL WORKS AUTHORITY REPORT, 1986-87—To be considered.
- *42 COAL CORPORATION REPORT, 1986-87—To be considered.
- *43 COUNCIL OF ADULT EDUCATION REPORT, 1986-87—To be considered.
- *44 DIETITIANS BOARD REPORT, 1985-86—To be considered.
- *45 HOUSING DIRECTOR'S REPORT, 1986-87—To be considered.
- *46 INSTITUTE OF SECONDARY EDUCATION REPORT, PERIOD ENDED 30 JUNE 1986—To be considered.
- *47 LAND CONSERVATION COUNCIL REPORT, 1986-87 AND RELATED MINISTERIAL STATEMENT—To be considered.
- *48 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1986-87—To be considered.
- *49 PHARMACY BOARD REPORT, 1986—To be considered.
- *50 POLICE COMPLAINTS AUTHORITY REPORT, 1986-87—To be considered.
- *51 PSYCHOLOGICAL COUNCIL REPORT, 1986—To be considered.
- *52 TOTALIZATOR AGENCY BOARD REPORT, 1986-87—To be considered.

*53 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1986-87—To be considered.

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THURSDAY, 29 OCTOBER
GOVERNMENT BUSINESS

ORDER OF THE DAY

*1 FIREARMS (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

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† No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

† Suspended on 27 October 1987 until the end of November 1987.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CONSTITUTION (LEGISLATIVE COUNCIL) BILL—(from Assembly—Hon. Evan Walker)—Second reading.
- *2 TAXATION ACTS AMENDMENT BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 3 ESTATE AGENTS (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading.
- §4 APPROPRIATION (1987-88, No. 1) BILL—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- §5 WORKS AND SERVICES (ANCILLARY PROVISIONS No. 2) BILL—(from Assembly—Hon. D. R. White)—Second reading—Question to be put.
- §6 BUDGET PAPERS, 1987-88—Motion to take note of papers—(Hon. D. R. White)—Question to be put.
- 7 LIQUOR CONTROL BILL—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- 8 FIREARMS (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 9 FISHERIES (ABALONE) BILL—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 10 ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL—(Hon. J. H. Kennan)—To be further considered in Committee.
- 11 ROAD SAFETY (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 12 METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 13 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 14 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 15 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).
- 16 CRIMES (COMPUTERS) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

* Indicates new entry.

§ Cognate subjects—To be debated concurrently pursuant to Order of the Council on 7 October 1987.

GENERAL BUSINESS**NOTICES OF MOTION**

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. R. LAWSON**—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act* 1985 for the year 1985-86.
- 9 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.

- 10 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 11 **THE HON. HADDON STOREY**—To move, That this House condemns the Government for its mishandling of the restructure of the Education Ministry and calls upon the Government to take immediate steps to ensure that schools will not be disadvantaged at the beginning of the school year in 1988.
- *12 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).

- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—
Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—
Resumption of debate. (Hon. J. V. C. Guest).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for
radical changes resulting in lack of public confidence and calling for urgent
remedial action—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. R. I.
Knowles).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be
considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff
and expressing alarm at policy to sell off, despite opposition from rural
school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon.
M. J. Sandon).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND
RELATED MINISTERIAL STATEMENT—Motion to take note of response
and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P.
Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern
over closure and replacement with light rail route—(Hon. J. V. C. Guest)—
Resumption of debate. (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling
land leased and substantially improved by tenants, and calling for grant to
tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of
debate.* (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—
Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of
Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite
previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon.
N. B. Reid).
- 15 ENVIRONMENT PROTECTION AUTHORITY REPORT, 1986-87—To be considered.
- 16 FORESTS (BOWATER-SCOTT AGREEMENT) ACT 1986—MINISTER'S REPORT
OF AMENDMENT TO AGREEMENT—To be considered.
- 17 NATIONAL PARKS ADVISORY COUNCIL REPORT, 1986-87—To be considered.
- 18 STATE BANK ACCOUNTS, 1986-87—To be considered.
- 19 OBSOLETE LEGISLATION—LAW REFORM COMMISSION'S REPORT—To be
considered.
- 20 PLAIN ENGLISH AND THE LAW—LAW REFORM COMMISSION'S REPORT—
To be considered.
- 21 STATE ELECTRICITY COMMISSION REPORT, 1986-87—To be considered.
- 22 TRANSPORT ACCIDENT COMMISSION REPORT, 1986-87—To be considered.
- 23 VICTORIAN DEVELOPMENT FUND—REPORT, 1986-87, PURSUANT TO PUBLIC
ACCOUNT ACT 1958—To be considered.
- φ24 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon.
J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).

- φ25 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- 26 RECYCLING AND LITTER ADVISORY COMMITTEE'S FIRST REPORT—To be considered.
- 27 ACCIDENT COMPENSATION COMMISSION REPORT, 1986–87—To be considered.
- 28 ACCIDENT COMPENSATION TRIBUNAL REPORT, 1986–87—To be considered.
- 29 ANTI-CANCER COUNCIL REPORT, 1986–87—To be considered.
- 30 AUDITOR-GENERAL'S OFFICE REPORT, 1986–87—To be considered.
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- 32 COAL CORPORATION REPORT, 1986–87—To be considered.
- 33 COUNCIL OF ADULT EDUCATION REPORT, 1986–87—To be considered.
- 34 DIETITIANS BOARD REPORT, 1985–86—To be considered.
- 35 HOUSING DIRECTOR'S REPORT, 1986–87—To be considered.
- 36 INSTITUTE OF SECONDARY EDUCATION REPORT, PERIOD ENDED 30 JUNE 1986—To be considered.
- 37 LAND CONSERVATION COUNCIL REPORT, 1986–87 AND RELATED MINISTERIAL STATEMENT—To be considered.
- 38 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1986–87—To be considered.
- 39 PHARMACY BOARD REPORT, 1986—To be considered.
- 40 POLICE COMPLAINTS AUTHORITY REPORT, 1986–87—To be considered.
- 41 PSYCHOLOGICAL COUNCIL REPORT, 1986—To be considered.
- 42 TOTALIZATOR AGENCY BOARD REPORT, 1986–87—To be considered.
- 43 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1986–87—To be considered.
- *44 PREMIER AND CABINET DEPARTMENT REPORT, 1986–87—To be considered.
- *45 SOLAR ENERGY COUNCIL REPORT, 1986–87—To be considered.
- *46 WORKCARE—Motion for appointment of Select Committee—(Hon. Haddon Storey)—Resumption of debate. (Hon. D. R. White).
- *47 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).

* * * *

TUESDAY, 10 NOVEMBER

GOVERNMENT BUSINESS

ORDER OF THE DAY

- 1 MEDICAL TREATMENT BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

† Wednesday—General business.

† No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 RACING (MISCELLANEOUS AMENDMENTS) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 2 TAXATION ACTS AMENDMENT BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *3 TOBACCO BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 4 FIREARMS (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 5 FISHERIES (ABALONE) BILL—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 6 CONSTITUTION (LEGISLATIVE COUNCIL) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 7 ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL—(Hon. J. H. Kennan)—To be further considered in Committee.
- 8 ROAD SAFETY (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 9 METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 10 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 11 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 12 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).
- 13 CRIMES (COMPUTERS) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

* Indicates new entry.

- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. R. LAWSON**—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act 1985* for the year 1985-86.
- 9 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 10 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 11 **THE HON. HADDON STOREY**—To move, That this House condemns the Government for its mishandling of the restructure of the Education Ministry and calls upon the Government to take immediate steps to ensure that schools will not be disadvantaged at the beginning of the school year in 1988.

12 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:

- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
- (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
- (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.

- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. N. B. Reid).
- 15 **ENVIRONMENT PROTECTION AUTHORITY REPORT, 1986–87**—To be considered.
- 16 **FORESTS (BOWATER-SCOTT AGREEMENT) ACT 1986—MINISTER'S REPORT OF AMENDMENT TO AGREEMENT**—To be considered.
- 17 **NATIONAL PARKS ADVISORY COUNCIL REPORT, 1986–87**—To be considered.
- 18 **STATE BANK ACCOUNTS, 1986–87**—To be considered.
- 19 **OBSOLETE LEGISLATION—LAW REFORM COMMISSION'S REPORT**—To be considered.
- 20 **PLAIN ENGLISH AND THE LAW—LAW REFORM COMMISSION'S REPORT**—To be considered.
- 21 **STATE ELECTRICITY COMMISSION REPORT, 1986–87**—To be considered.
- 22 **TRANSPORT ACCIDENT COMMISSION REPORT, 1986–87**—To be considered.
- 23 **VICTORIAN DEVELOPMENT FUND—REPORT, 1986–87, PURSUANT TO PUBLIC ACCOUNT ACT 1958**—To be considered.
- φ24 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- φ25 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- 26 **RECYCLING AND LITTER ADVISORY COMMITTEE'S FIRST REPORT**—To be considered.
- 27 **ACCIDENT COMPENSATION COMMISSION REPORT, 1986–87**—To be considered.
- 28 **ACCIDENT COMPENSATION TRIBUNAL REPORT, 1986–87**—To be considered.
- 29 **ANTI-CANCER COUNCIL REPORT, 1986–87**—To be considered.
- 30 **AUDITOR-GENERAL'S OFFICE REPORT, 1986–87**—To be considered.

- 31 CAPITAL WORKS AUTHORITY REPORT, 1986-87—To be considered.
- 32 COAL CORPORATION REPORT, 1986-87—To be considered.
- 33 COUNCIL OF ADULT EDUCATION REPORT, 1986-87—To be considered.
- 34 DIETITIANS BOARD REPORT, 1985-86—To be considered.
- 35 HOUSING DIRECTOR'S REPORT, 1986-87—To be considered.
- 36 INSTITUTE OF SECONDARY EDUCATION REPORT, PERIOD ENDED 30 JUNE 1986—To be considered.
- 37 LAND CONSERVATION COUNCIL REPORT, 1986-87 AND RELATED MINISTERIAL STATEMENT—To be considered.
- 38 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1986-87—To be considered.
- 39 PHARMACY BOARD REPORT, 1986—To be considered.
- 40 POLICE COMPLAINTS AUTHORITY REPORT, 1986-87—To be considered.
- 41 PSYCHOLOGICAL COUNCIL REPORT, 1986—To be considered.
- 42 TOTALIZATOR AGENCY BOARD REPORT, 1986-87—To be considered.
- 43 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1986-87—To be considered.
- 44 PREMIER AND CABINET DEPARTMENT REPORT, 1986-87—To be considered.
- 45 SOLAR ENERGY COUNCIL REPORT, 1986-87—To be considered.
- 46 WORKCARE—Motion for appointment of Select Committee—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. D. R. White*).
- 47 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- *48 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- *49 METROPOLITAN TRANSIT AUTHORITY REPORT, 1986-87—To be considered.
- *50 PORT OF MELBOURNE AUTHORITY REPORT, 1986-87—To be considered.
- *51 ROAD CONSTRUCTION AUTHORITY REPORT, 1986-87—To be considered.
- *52 ROAD TRAFFIC AUTHORITY REPORT, 1986-87—To be considered.
- *53 STATE TRANSPORT AUTHORITY REPORT, 1986-87—To be considered.
- *54 TRANSPORT MINISTRY REPORT, 1986-87—To be considered.

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TUESDAY, 10 NOVEMBER

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 2 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

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Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

† Wednesday—General business.

† No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

† Suspended on 27 October 1987 until the end of November 1987.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 32, 33, 34 and 35

No. 32—Tuesday, 27 October 1987

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council that he had, on the dates mentioned, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:
 - On 20 October 1987—
 - Litter Act.*
 - State Trust Corporation of Victoria Act.*
 - Survey Co-ordination (Amendment) Act.*
 - On 27 October 1987—
 - Victoria State Emergency Service Act.*
 - Superannuation Schemes (Accident Compensation) Act.*
 - Loddon-Campaspe Regional Planning Authority Act.*
 - Psychologists Registration Act.*
- 3 **FIREARMS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Firearms Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable J. E. Kirner, 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 (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Road Safety Act 1986’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable J. H. Kennan, 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 **METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Metropolitan Fire Brigades Superannuation Act 1976’ and for other purposes*” and desiring the concurrence of the Council therein.
On the motion of the Honourable D. R. White, 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 **RESIDENTIAL TENANCIES (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 some of the amendments made by the Council, and have agreed to the remaining amendment with an amendment, and desiring the concurrence of the Council therein.
Ordered—That the Message be taken into consideration later this day.

- 7 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Psychologists Registration Bill.

Victoria State Emergency Service Bill.

Litter Bill.

Survey Co-ordination (Amendment) Bill.

Superannuation Schemes (Accident Compensation) Bill.

Loddon–Campaspe Regional Planning Authority Bill.

State Trust Corporation of Victoria Bill.

- 8 **PETITIONS**—

RAILWAY MAINTENANCE DEPOT, NUNAWADING—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

Ordered to lie on the Table.

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HUMAN EMBRYOS—The Honourable B. A. Chamberlain presented a Petition from certain citizens of Victoria praying that steps be taken to implement the provisions of the *Infertility (Medical Procedures) Act 1984* prohibiting the creation of human embryos for the purpose of destructive experiments and moved, That it do lie on the Table and be read by the Clerk.

Question—put and resolved in the affirmative.

The Clerk read the Petition.

* * * *

FIREARMS—The Honourable R. M. Hallam presented a Petition from certain citizens of Victoria praying that the rights of sporting shooters be recognized and protected.

Ordered to lie on the Table.

- 9 **ESTATE AGENTS (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to make amendments to the *Estate Agents Act 1980* to provide for the making of arrangements for the payment of interest on estate agents' trust accounts 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 **PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to establish Prince Henry's Institute of Medical Research as a body corporate 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 **MEDICAL TREATMENT BILL**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to create an offence of medical trespass, to make other provision concerning the refusal of medical treatment, to amend the *Magistrates' Courts Act 1971* 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 PAPERS—

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos 53 and 54 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

* * * *

RECYCLING AND LITTER ADVISORY COMMITTEE—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the First Report of the Victorian Recycling and Litter Advisory Committee.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.

The Honourable Haddon Storey (for the Honourable A. J. Hunt) moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

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

Accident Compensation Commission—Report and financial statements for the year 1986–87.

Accident Compensation Tribunal—Report and financial statements for the year 1986–87.

Anti-Cancer Council—Report and financial statement for the year 1986–87.

Auditor-General's Office—Report and financial statements for the year 1986–87.

Capital Works Authority—Report and financial statements for the year 1986–87.

Coal Corporation—Report and financial statements for the year 1986–87.

Council of Adult Education—Report and statement of accounts for the year 1986–87.

Dietitians Board—Report and statement of accounts for the year 1985–86.

Housing Director—Report for the year 1986–87.

Institute of Secondary Education—Report for the period 1 January to 30 June 1986.

Land Conservation Council—Report for the year 1986–87.

Metropolitan Fire Brigades Board—Report for the year 1986–87.

Pharmacy Board—Report and statement of accounts for the year 1986.

Police Complaints Authority—Report for the year 1986–87.

Police Service Board—Determination No. 6 for Police Recruits.

Psychological Council—Report and financial statement for the year 1986.

Statutory Rules under the following Acts of Parliament:

Dental Technicians Act 1972—No. 263.

Drugs, Poisons and Controlled Substances Act 1981—No. 260.

Explosives Act 1960—No. 267.

Firearms Act 1958—Nos. 264, 265 and 268.

Statutory Rules—*continued*

Freedom of Information Act 1982—No. 266.

Medical Practitioners Act 1970—No. 261.

Physiotherapists Act 1978—No. 262.

Public Service Act 1974—PSD No. 44.

Totalizator Agency Board—Report, accounts and balance sheets for the year ended 31 July 1987.

Town and Country Planning Act 1961—

Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 50.

Buninyong—Shire of Buninyong Planning Scheme—Amendment No. 36.

Geelong Regional Planning Scheme—Amendments Nos. 158 and 182.

Korumburra—Shire of Korumburra Planning Scheme—Amendments Nos. 36 and 39, 1986.

Melbourne Metropolitan Planning Scheme—Amendments No. 380, Part 2 (with maps); No. 388, Part 1 (with maps); and No. 410 (with maps).

Sale—City of Sale Planning Scheme 1975—Amendment No. 33, 1987.

Shepparton—City of Shepparton Planning Scheme 1953—Amendment No. 114, 1987.

South Gippsland—Shire of South Gippsland Planning Scheme—Amendment No. 66, 1984.

Stawell—Town of Stawell Planning Scheme 1982—Amendment No. 4, 1986.

Young Farmers' Finance Council—Report for the year 1986–87.

The Honourable Haddon Storey 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.

- 13 **MINISTERIAL STATEMENT—LAND CONSERVATION COUNCIL**—The Honourable J. H. Kennan made a Ministerial Statement on the Report of the Land Conservation Council for 1986–87.

The Honourable W. R. Baxter moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 14 **BUSINESS OF THE HOUSE**—The Honourable Evan Walker moved, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of November and that until the end of November, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of General business.

Debate ensued.

Question—put and resolved in the affirmative.

- 15 **BUSINESS POSTPONED—Ordered**—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.

- 16 **REFUSAL OF MEDICAL TREATMENT BILL—ORDER DISCHARGED**—The Order of the Day having been read for the second reading of this Bill—

The Honourable J. H. Kennan moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 17 **BUSINESS POSTPONED—Ordered**—That the consideration of Orders of the Day, Government Business, Nos. 3 to 7 inclusive, be postponed until later this day.

- 18 **BUILDING CONTROL (AMENDMENT) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable J. H. Kennan moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 19 **ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 20 **NATIONAL MUTUAL ROYAL SAVINGS BANK LIMITED (MERGER) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 21 **ROAD SAFETY (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable Haddon Storey (for the Honourable R. Lawson) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 9, be postponed until later this day.

- 23 **APPROPRIATION (1987–88, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions No. 2) Bill and the motion to take note of the Budget Papers, 1987–88, having been authorized to be debated concurrently pursuant to an Order of the Council on 7 October 1987]—

Debate resumed.

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 Honourable G. A. Sgro 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.

- 24 **PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan

Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable M. A. Birrell 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 **METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable N. B. Reid) 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 **FIREARMS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable Haddon Storey (for the Honourable N. B. Reid) 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 Thursday next.

- 27 **RESIDENTIAL TENANCIES (AMENDMENT) BILL**—The Order of the Day having been read for the consideration of the Message from the Assembly notifying that the Assembly had agreed to some of the amendments made by the Council and had agreed to another with an amendment—

The amendment agreed to by the Assembly with an amendment was read, and is as follows:

Amendment made by the Legislative Council

How dealt with by the Legislative Assembly

No. 6. *Insert the following new clause to follow clause 2:*

Notice given under section 123 (1) of no effect in certain circumstances.

'A. In section 123 of the *Residential Tenancies Act* 1980, after sub-section (2), insert—

“(3) A notice given under sub-section (1) in respect of a tenancy agreement is of no effect if it was given by the landlord in response to the exercise, or proposed exercise, by the tenant of a right given to the tenant under this Act.

(4) A person is not entitled to make an application to the Tribunal challenging the validity of a notice given under sub-section (1) after the expiration of 28 days after the notice was given.”.

Agreed to with the following amendment:
Omit “28” and insert “56” [in new sub-section (4)].

The Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That the Council agree to the amendment made by the Assembly on Amendment No. 6 made by the Council in this Bill.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them that the Council have agreed to the amendment made by the Assembly on an amendment made by the Council in the Bill.

- 28 **APPROPRIATION (1987–88, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 29 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.28 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 33—Wednesday, 28 October 1987

- 1 The President took the Chair and read the Prayer.

- 2 **CONSTITUTION (LEGISLATIVE COUNCIL) 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 Constitution Act Amendment Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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—RAILWAY MAINTENANCE DEPOT, NUNAWADING**—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

Ordered to lie on the Table.

- 4 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Premier and Cabinet Department—Report and financial statements for the year 1986–87.

Solar Energy Council—Report and statement of accounts for the year 1986–87.

Town and Country Planning Act 1961—

Geelong Regional Planning Scheme—Amendment No. 193, 1987.

Hastings—Shire of Hastings Planning Scheme—Amendment No. 35.

Traralgon—City of Traralgon Planning Scheme 1957—Amendment No. 74.

The Honourable Haddon Storey 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.
- 6 **WORKCARE**—Leave having been granted for the motion to be moved in an amended form, the Honourable Haddon Storey moved—
- (a) That a Select Committee of six Members be appointed to inquire into and report upon all aspects of the operation of WorkCare legislation in this State, including its administration by the Accident Compensation Commission, the Accident Compensation Tribunal and the Victorian Accident Rehabilitation Council.
 - (b) That the Committee shall give priority to a review of the transitional proposals contained in the Accident Compensation (Amendment) Bill as introduced into the Assembly on 17 September 1987 regarding—
 - contributions towards compensation paid by the Accident Compensation Commission;
 - damages recovered in a common law proceeding; and
 - supplementation of payments from the Accident Compensation Fund;
 and the Committee shall report its findings on these matters no later than March 1988.
 - (c) That the Committee be required to report at the end of each quarter for the duration of the Inquiry.
 - (d) That three members of the Committee shall constitute a quorum of the Committee.
 - (e) That the Committee may sit at such times and in such places as seems most convenient for the proper and speedy despatch of business.
 - (f) That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform the duties of Chairman when the Chairman is not present at a meeting of the Committee.
 - (g) That the Committee may send for persons, papers and records.
 - (h) That the Committee may sit in public or in private as thought appropriate from time to time.
 - (i) That the Committee may authorize the publication of any evidence taken by it and any document presented to it.
 - (j) That as soon as practicable after the completion of each day's proceedings a transcript of the evidence taken in public by the Committee shall be published.
 - (k) That the first meeting of the Committee shall be held at 11 a.m. on Monday, 9 November 1987 in the Legislative Council Committee Room.
 - (l) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

Debate ensued.

The Honourable 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.

- 7 **TAFE**—The Honourable Haddon Storey moved, That this House condemns the Government for exposing TAFE in Victoria to continuing uncertainty as to its future, and calls upon the Government to immediately announce the outcome of its

review of TAFE and restore a sense of direction and confidence to all those involved in the system.

Debate ensued.

The Honourable D. R. White (for the Honourable Evan 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.

- 8 **LIQUOR CONTROL BILL**—This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair, and the Honourable G. A. Sgro 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.

- 9 **NATIONAL MUTUAL ROYAL SAVINGS BANK LIMITED (MERGER) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

- 10 **TAXATION ACTS 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', the 'Pay-roll Tax Act 1971' and the 'Land Tax Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **MEDICAL TREATMENT BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain 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, 10 November 1987.

And then the Council, at 6.05 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 34—Thursday, 29 October 1987

- 1 The President took the Chair and read the Prayer.

- 2 **TOBACCO BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the regulation of the sale and promotion of tobacco products and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

3 PETITIONS—

RAILWAY MAINTENANCE DEPOT, NUNAWADING—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Minister for Transport abandon his proposal to locate a railway maintenance depot within the City of Nunawading.

* * * *

PUBLIC HOSPITALS CLOSURE—The Honourables M. A. Birrell, R. Lawson, R. Macey, N. B. Reid, B. A. Chamberlain, Haddon Storey and G. P. Connard each presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

* * * *

Severally ordered to lie on the Table.

4 PAPERS—

ESTIMATES COMMITTEE—The Honourable M. J. Sandon presented a Report from the Estimates Committee upon the 1987–88 Estimates of Receipts and Payments, together with an Appendix, an Extract from the Proceedings of the Committee, a Minority Report and Minutes of Evidence.

Ordered to lie on the Table and the Report, Appendix, Extract from the Proceedings and Minority Report to be printed.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

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

Metropolitan Transit Authority—Report and financial statements for the year 1986–87.

Port of Melbourne Authority—Report and financial statements for the year 1986–87.

Road Construction Authority—Report and statement of accounts for the year 1986–87.

Road Traffic Authority—Report and statement of accounts for the year 1986–87.

State Transport Authority—Report and financial statements for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

Emergency Services Superannuation Act 1986—No. 269.

Magistrates' Courts Act 1971—No. 270.

Public Service Act 1974—PSD No. 43.

Transport Ministry—Report and financial statements for the year 1986–87.

The Honourable Haddon Storey 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 **CONSTITUTION (LEGISLATIVE COUNCIL) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain (for the Honourable 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 7 **ESTATE AGENTS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain 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, 10 November 1987.

- 8 **APPROPRIATION (1987–88, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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 **WORKS AND SERVICES (ANCILLARY PROVISIONS No. 2) BILL**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time—

Question—put and resolved in the affirmative.

Bill read a second time and, by leave, 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 **BUDGET PAPERS, 1987–88**—The Order of the Day having been read for the resolution of the question, That the Council take note of the Budget Papers 1987–88—

Question—put and resolved in the affirmative.

- 11 **RACING (MISCELLANEOUS AMENDMENTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make miscellaneous amendments to the ‘Racing Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White (for the Honourable J. E. Kirner), 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.

- 12 **LIQUOR CONTROL BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

And having continued to sit until after 12 midnight—

FRIDAY, 30 OCTOBER 1987

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 13 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until this day at 11.00 a.m.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 12.43 a.m., adjourned until this day at 11.00 a.m.

R. K. EVANS
Clerk of the Legislative Council

No. 35—Friday, 30 October 1987

- 1 The President took the Chair and read the Prayer.

- 2 **MINISTERIAL STATEMENT—K DIVISION, PENTRIDGE**—The Honourable J. H. Kennan made a Ministerial Statement on events at K Division, Pentridge.

The Honourable B. A. Chamberlain moved, by leave, That the Council take note of the Ministerial statement.

Debate ensued.

Question—put and resolved in the affirmative.

- 3 **PETITIONS**—

FOOD IRRADIATION—The Honourable J. McLean presented a Petition from certain citizens of Victoria praying that action be taken to ban the importation of radioactive Cobalt 60 or other radioactive substances for the purpose of food irradiation, and to disallow the irradiation of food and the marketing of irradiated food.

* * * *

PUBLIC HOSPITALS CLOSURE—The Honourable R. I. Knowles presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

* * * *

TOBACCO—The Honourable J. McLean presented a Petition from certain citizens of Victoria praying that the Tobacco Bill be given speedy passage through Parliament.

* * * *

Severally ordered to lie on the Table.

- 4 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Consumer Affairs Ministry—Report and financial statements for the year 1986–87.

Ethnic Affairs Commission—Report and financial statements for the year 1986–87.

Industry, Technology and Resources Department—Report and financial statements for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

- Companies (Application of Laws) Act 1981—No. 272.
 County Court Act 1958—No. 271.
 Emergency Services Superannuation Act 1986—No. 276.
 Forests Act 1958—No. 274.
 Public Service Act 1974—No. 275.
 Transport Accident Act 1986—No. 277.

Water Resources Department—Report and financial statements for the year 1986–87.

The Honourable Haddon Storey 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 BUSINESS POSTPONED—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 45 inclusive, be postponed until later this day.
- 6 WORKCARE—The Order of the Day having been read for the resumption of the debate on the question, That a Select Committee be appointed on WorkCare (for motion see page 170 *ante*)—

Debate resumed.

Question—put and resolved in the affirmative.

- 7 WORKCARE COMMITTEE—The Honourable Haddon Storey moved, by leave, That the Honourables M. J. Arnold, W. R. Baxter, M. A. Birrell, B. A. Chamberlain, J. L. Dixon and B. W. Mier be members of the Select Committee on WorkCare.

Question—put and resolved in the affirmative.

- 8 TOBACCO BILL—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

Debate ensued.

The Honourable W. R. Baxter moved, That the debate be now adjourned.

Debate ensued.

Question—put.

The Council divided.

AYES, 4

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam

NOES, 30

The Hon. M. J. Arnold
 M. A. Birrell
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles (*Teller*)
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur

J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren (*Teller*)
 Evan Walker
 D. R. White

And so it passed in the negative.

Debate continued.

The Honourable D. M. Evans moved, as an amendment, That all the words after "That" be omitted with the view of inserting in place thereof "this House, recognising the need to discourage tobacco use particularly by juveniles, but mindful that tobacco is a legally available product, refuses to read this Bill a second time until the Legal and Constitutional Committee has inquired, considered and reported to the House on—

- (a) the effectiveness of any ban on the advertising of tobacco products which does not extend to all advertising mediums;
- (b) the implications of any ban as it relates to section 92 of the Commonwealth Constitution;
- (c) the pending decision of the Full Bench of the High Court on the challenge to the Constitutional validity of the Victorian State Licence Fee on cigarettes in the case *Alston Holdings Pty Ltd v the Commissioner of Business Franchises*; and
- (d) the effect of the Bill on the livelihood of tobacco growers and proposals to retain a viable industry in Victoria bearing in mind that scope exists to increase the use of Australian grown leaf beyond the current 57 per cent .".

Debate ensued.

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

The Council divided.

AYES, 32

The Hon. M. J. Arnold (*Teller*)
 M. A. Birrell
 G. P. Connard (*Teller*)
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier

NOES, 4

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)

J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Evan Walker
 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 until after 12 midnight—

SATURDAY, 31 OCTOBER 1987

The President resumed the Chair, and the Honourable G. A. Sgro 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.

- 9 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, on 30 October 1987, given the Royal Assent to the undermentioned Acts presented to him by the Honourable the Speaker of the Legislative Assembly and the Clerk of the Parliaments, respectively:

Appropriation (1987–88, No. 1) Act.

Works and Services (Ancillary Provisions No. 2) Act.

- 10 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 10 November 1987.

Question—put and resolved in the affirmative.

And then the Council, at 12.43 a.m., adjourned until Tuesday, 10 November 1987.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 RACING (MISCELLANEOUS AMENDMENTS) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 2 TAXATION ACTS AMENDMENT BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 3 FIREARMS (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 4 FISHERIES (ABALONE) BILL—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. R. S. de Fegely).
- 5 MEDICAL TREATMENT BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 6 ESTATE AGENTS (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 7 CONSTITUTION (LEGISLATIVE COUNCIL) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 8 ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL—(Hon. J. H. Kennan)—To be further considered in Committee.
- 9 ROAD SAFETY (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 10 METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 11 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 12 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 13 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).
- 14 CRIMES (COMPUTERS) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. R. LAWSON**—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act* 1985 for the year 1985-86.
- 9 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 10 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 11 **THE HON. HADDON STOREY**—To move, That this House condemns the Government for its mishandling of the restructure of the Education Ministry and calls upon the Government to take immediate steps to ensure that schools will not be disadvantaged at the beginning of the school year in 1988.

- 12 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.

- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. N. B. Reid).
- 15 **OBSOLETE LEGISLATION—LAW REFORM COMMISSION'S REPORT**—To be considered.
- 16 **PLAIN ENGLISH AND THE LAW—LAW REFORM COMMISSION'S REPORT**—To be considered.
- 17 **STATE ELECTRICITY COMMISSION REPORT, 1986-87**—To be considered.
- 18 **TRANSPORT ACCIDENT COMMISSION REPORT, 1986-87**—To be considered.
- 19 **VICTORIAN DEVELOPMENT FUND—REPORT, 1986-87, PURSUANT TO PUBLIC ACCOUNT ACT 1958**—To be considered.
- φ20 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- φ21 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- 22 **RECYCLING AND LITTER ADVISORY COMMITTEE'S FIRST REPORT**—To be considered.
- 23 **ACCIDENT COMPENSATION COMMISSION REPORT, 1986-87**—To be considered.
- 24 **ACCIDENT COMPENSATION TRIBUNAL REPORT, 1986-87**—To be considered.
- 25 **ANTI-CANCER COUNCIL REPORT, 1986-87**—To be considered.
- 26 **AUDITOR-GENERAL'S OFFICE REPORT, 1986-87**—To be considered.
- 27 **CAPITAL WORKS AUTHORITY REPORT, 1986-87**—To be considered.
- 28 **COAL CORPORATION REPORT, 1986-87**—To be considered.
- 29 **COUNCIL OF ADULT EDUCATION REPORT, 1986-87**—To be considered.
- 30 **DIETITIANS BOARD REPORT, 1985-86**—To be considered.
- 31 **HOUSING DIRECTOR'S REPORT, 1986-87**—To be considered.

- 32 INSTITUTE OF SECONDARY EDUCATION REPORT, PERIOD ENDED 30 JUNE 1986—To be considered.
- 33 LAND CONSERVATION COUNCIL REPORT, 1986-87 AND RELATED MINISTERIAL STATEMENT—To be considered.
- 34 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1986-87—To be considered.
- 35 PHARMACY BOARD REPORT, 1986—To be considered.
- 36 POLICE COMPLAINTS AUTHORITY REPORT, 1986-87—To be considered.
- 37 PSYCHOLOGICAL COUNCIL REPORT, 1986—To be considered.
- 38 TOTALIZATOR AGENCY BOARD REPORT, 1986-87—To be considered.
- 39 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1986-87—To be considered.
- 40 PREMIER AND CABINET DEPARTMENT REPORT, 1986-87—To be considered.
- 41 SOLAR ENERGY COUNCIL REPORT, 1986-87—To be considered.
- 42 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 43 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 44 METROPOLITAN TRANSIT AUTHORITY REPORT, 1986-87—To be considered.
- 45 PORT OF MELBOURNE AUTHORITY REPORT, 1986-87—To be considered.
- 46 ROAD CONSTRUCTION AUTHORITY REPORT, 1986-87—To be considered.
- 47 ROAD TRAFFIC AUTHORITY REPORT, 1986-87—To be considered.
- 48 STATE TRANSPORT AUTHORITY REPORT, 1986-87—To be considered.
- 49 TRANSPORT MINISTRY REPORT, 1986-87—To be considered.
- *50 CONSUMER AFFAIRS MINISTRY REPORT, 1986-87—To be considered.
- *51 ETHNIC AFFAIRS COMMISSION REPORT, 1986-87—To be considered.
- *52 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1986-87—To be considered.
- *53 WATER RESOURCES DEPARTMENT REPORT, 1986-87—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Cocksedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

***WORKCARE**—The Honourables M. J. Arnold, W. R. Baxter, M. A. Birrell, B. A. Chamberlain, J. L. Dixon and B. W. Mier.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

† Wednesday—General business.

† No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 COURTS (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *2 ACCIDENT COMPENSATION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 3 FIREARMS (AMENDMENT) BILL—(from Assembly—Hon. J. E. Kirner)—To be further considered in Committee.
- *4 DAIRY INDUSTRY (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 5 CONSTITUTION (LEGISLATIVE COUNCIL) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 6 ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL—(Hon. J. H. Kennan)—To be further considered in Committee.
- 7 ROAD SAFETY (AMENDMENT) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 8 METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 9 TAXATION ACTS AMENDMENT BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 10 MEDICAL TREATMENT BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 11 ESTATE AGENTS (AMENDMENT) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 12 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 13 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 14 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).
- 15 CRIMES (COMPUTERS) BILL—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.

* Indicates new entry.

- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
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- 12 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
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 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).

- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES**—PETITION—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 **RECYCLING AND LITTER ADVISORY COMMITTEE'S FIRST REPORT**—To be considered.
- 18 **ACCIDENT COMPENSATION COMMISSION REPORT, 1986–87**—To be considered.
- 19 **ACCIDENT COMPENSATION TRIBUNAL REPORT, 1986–87**—To be considered.
- 20 **ANTI-CANCER COUNCIL REPORT, 1986–87**—To be considered.
- 21 **AUDITOR-GENERAL'S OFFICE REPORT, 1986–87**—To be considered.
- 22 **CAPITAL WORKS AUTHORITY REPORT, 1986–87**—To be considered.
- 23 **COAL CORPORATION REPORT, 1986–87**—To be considered.
- 24 **COUNCIL OF ADULT EDUCATION REPORT, 1986–87**—To be considered.
- 25 **DIETITIANS BOARD REPORT, 1985–86**—To be considered.
- 26 **HOUSING DIRECTOR'S REPORT, 1986–87**—To be considered.
- 27 **INSTITUTE OF SECONDARY EDUCATION REPORT, PERIOD ENDED 30 JUNE 1986**—To be considered.

- 28 LAND CONSERVATION COUNCIL REPORT, 1986-87 AND RELATED MINISTERIAL STATEMENT—To be considered.
- 29 METROPOLITAN FIRE BRIGADES BOARD REPORT, 1986-87—To be considered.
- 30 PHARMACY BOARD REPORT, 1986—To be considered.
- 31 POLICE COMPLAINTS AUTHORITY REPORT, 1986-87—To be considered.
- 32 PSYCHOLOGICAL COUNCIL REPORT, 1986—To be considered.
- 33 TOTALIZATOR AGENCY BOARD REPORT, 1986-87—To be considered.
- 34 YOUNG FARMERS' FINANCE COUNCIL REPORT, 1986-87—To be considered.
- 35 PREMIER AND CABINET DEPARTMENT REPORT, 1986-87—To be considered.
- 36 SOLAR ENERGY COUNCIL REPORT, 1986-87—To be considered.
- 37 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 38 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 39 METROPOLITAN TRANSIT AUTHORITY REPORT, 1986-87—To be considered.
- 40 PORT OF MELBOURNE AUTHORITY REPORT, 1986-87—To be considered.
- 41 ROAD CONSTRUCTION AUTHORITY REPORT, 1986-87—To be considered.
- 42 ROAD TRAFFIC AUTHORITY REPORT, 1986-87—To be considered.
- 43 STATE TRANSPORT AUTHORITY REPORT, 1986-87—To be considered.
- 44 TRANSPORT MINISTRY REPORT, 1986-87—To be considered.
- 45 CONSUMER AFFAIRS MINISTRY REPORT, 1986-87—To be considered.
- 46 ETHNIC AFFAIRS COMMISSION REPORT, 1986-87—To be considered.
- 47 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1986-87—To be considered.
- 48 WATER RESOURCES DEPARTMENT REPORT, 1986-87—To be considered.
- *49 SUPREME COURT JUDGES' REPORT, 1986 AND RELATED MINISTERIAL STATEMENT—To be considered.
- *50 LEO CUSSEN INSTITUTE REPORT, 1986—To be considered.
- *51 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1986-87—To be considered.
- *52 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1986—To be considered.
- *53 COMMUNITY SERVICES DEPARTMENT REPORT, 1986-87—To be considered.
- *54 DAIRY INDUSTRY AUTHORITY REPORT, 1986-87—To be considered.
- *55 EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 21 OCTOBER 1987 REGARDING RESUMPTION OF LAND AT NARRE WARREN—To be considered.
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- *59 LEGAL AID COMMISSION REPORT, 1986-87—To be considered.
- *60 LOCAL GOVERNMENT DEPARTMENT REPORT, 1986-87—To be considered.
- *61 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1986-87—To be considered.

- *62 PUBLIC TRUSTEE REPORT, 1986-87—To be considered.
- *63 SPORT AND RECREATION DEPARTMENT REPORT, 1986-87—To be considered.
- *64 TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORT, 1986-87—To be considered.
- *65 TRANSPORT BORROWING AGENCY ACCOUNTS, PERIOD ENDED 11 JANUARY 1987—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

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MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE—The Honourables M. J. Arnold, W. R. Baxter, M. A. Birrell, B. A. Chamberlain, J. L. Dixon and B. W. Mier.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

† Wednesday—General business.

† No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

† Suspended on 27 October 1987 until the end of November 1987.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 LOTTERIES GAMING AND BETTING (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 2 ACCIDENT COMPENSATION (AMENDMENT) BILL—(*from Assembly—Hon. D. R. White*)—Second reading.
- *3 ABATTOIR AND MEAT INSPECTION (ARRANGEMENTS) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 4 CONSTITUTION (LEGISLATIVE COUNCIL) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 5 FIREARMS (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—To be further considered in Committee.
- 6 MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 7 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 8 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 9 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Birrell*).
- 10 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Lyster*).
- 11 CRIMES (COMPUTERS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

* Indicates new entry.

- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. R. LAWSON**—To move, That the Council take note of the Report of the Director-General, Department of Labour, on proceedings under the *Dangerous Goods Act 1985* for the year 1985-86.
- 9 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 10 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 11 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a

Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;

- (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).

- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 **PREMIER AND CABINET DEPARTMENT REPORT, 1986-87**—To be considered.
- 18 **SOLAR ENERGY COUNCIL REPORT, 1986-87**—To be considered.
- 19 **TAFE**—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 20 **1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT**—To be considered.
- 21 **METROPOLITAN TRANSIT AUTHORITY REPORT, 1986-87**—To be considered.
- 22 **PORT OF MELBOURNE AUTHORITY REPORT, 1986-87**—To be considered.
- 23 **ROAD CONSTRUCTION AUTHORITY REPORT, 1986-87**—To be considered.
- 24 **ROAD TRAFFIC AUTHORITY REPORT, 1986-87**—To be considered.
- 25 **STATE TRANSPORT AUTHORITY REPORT, 1986-87**—To be considered.
- 26 **TRANSPORT MINISTRY REPORT, 1986-87**—To be considered.
- 27 **CONSUMER AFFAIRS MINISTRY REPORT, 1986-87**—To be considered.
- 28 **ETHNIC AFFAIRS COMMISSION REPORT, 1986-87**—To be considered.
- 29 **INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1986-87**—To be considered.
- 30 **WATER RESOURCES DEPARTMENT REPORT, 1986-87**—To be considered.
- 31 **SUPREME COURT JUDGES' REPORT, 1986 AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 32 **LEO CUSSEN INSTITUTE REPORT, 1986**—To be considered.
- 33 **AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1986-87**—To be considered.
- 34 **CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1986**—To be considered.
- 35 **COMMUNITY SERVICES DEPARTMENT REPORT, 1986-87**—To be considered.
- 36 **DAIRY INDUSTRY AUTHORITY REPORT, 1986-87**—To be considered.
- 37 **EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 21 OCTOBER 1987 REGARDING RESUMPTION OF LAND AT NARRE WARREN**—To be considered.

- 38 EGG MARKETING BOARD REPORT, 1986-87—To be considered.
- 39 GAS AND FUEL CORPORATION REPORT, 1986-87—To be considered.
- 40 GRANTS COMMISSION REPORT, 1986-87—To be considered.
- 41 LEGAL AID COMMISSION REPORT, 1986-87—To be considered.
- 42 LOCAL GOVERNMENT DEPARTMENT REPORT, 1986-87—To be considered.
- 43 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1986-87—To be considered.
- 44 PUBLIC TRUSTEE REPORT, 1986-87—To be considered.
- 45 SPORT AND RECREATION DEPARTMENT REPORT, 1986-87—To be considered.
- 46 TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORT, 1986-87—To be considered.
- 47 TRANSPORT BORROWING AGENCY ACCOUNTS, PERIOD ENDED 11 JANUARY 1987—To be considered.
- *48 CRIME VICTIMS' SUPPORT SERVICES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- *49 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY—CONSULTATIVE COUNCIL'S REPORT, 1985—To be considered.
- *50 ALPINE RESORTS COMMISSION REPORT, 1985-86—To be considered.
- *51 CRIMES COMPENSATION TRIBUNAL REPORT, 1986-87—To be considered.
- *52 DENTAL BOARD REPORT, 1985-86—To be considered.
- *53 EDUCATION MINISTRY REPORT, 1986-87—To be considered.
- *54 GEELONG REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- *55 LATROBE REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- *56 MEDICAL BOARD REPORT, 1985-86—To be considered.
- *57 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1986-87—
To be considered.
- *58 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1986—To be considered.
- *59 PRISON INDUSTRIES COMMISSION REPORT, 1986-87—To be considered.
- *60 PROPERTY AND SERVICES DEPARTMENT REPORT, 1986-87—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

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MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

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† Suspended on 27 October 1987 until the end of November 1987.

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 2 CONSTITUTION (LEGISLATIVE COUNCIL) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- *3 MINES (MISCELLANEOUS AMENDMENTS) BILL—(*from Assembly—Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. Rosemary Varty*).
- *4 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 5 FIREARMS (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—To be further considered in Committee.
- 6 MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
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- 11 CRIMES (COMPUTERS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).

GENERAL BUSINESS

NOTICES OF MOTION

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- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions

which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and

- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

***11 THE HON. HADDON STOREY—To move—**

- (a) That a Select Committee of five members be appointed to enquire into and report upon all aspects of The Constitution Act Amendment (Electoral Reform) Bill and the circumstances surrounding the holding and conduct of the Nunawading re-election on 17 August 1985 and the subsequent enquiries and explanations in relation to matters arising therefrom.
- (b) That the Committee shall consist of the Hon. A. J. Hunt, the Hon. M. A. Birrell, the Hon. W. R. Baxter and two other members who shall be appointed by lodgement of the names with the President at any time by the Leader of the Government.
- (c) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (d) That the Committee shall elect a Deputy Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (e) That three members of the Committee shall constitute a quorum.
- (f) That a member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (g) That the Committee may sit at such times and at such places as seems most convenient for the proper and speedy despatch of business.
- (h) That the Committee may send for persons, papers and records.
- (i) That the Committee may sit in public or in private as thought appropriate from time to time.
- (j) That the Committee may ask for explanations and receive evidence from:
- (i) Ministers who are Members of the Legislative Council;
 - (ii) With the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) Public Servants and other relevant officers.
- (k) That the Committee may authorise the publication of any evidence taken by it in public and any documents presented to it.
- (l) That as soon as practicable after the completion of each day's

proceedings, a transcript of the evidence taken in public by the Committee shall be published.

- (m) That reports of the Committee may be presented to the Council from time to time.
- (n) That the presentation of a report or an interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (o) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).

- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 **TAFE**—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 **1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT**—To be considered.
- 19 **METROPOLITAN TRANSIT AUTHORITY REPORT, 1986-87**—To be considered.
- 20 **PORT OF MELBOURNE AUTHORITY REPORT, 1986-87**—To be considered.
- 21 **ROAD CONSTRUCTION AUTHORITY REPORT, 1986-87**—To be considered.
- 22 **ROAD TRAFFIC AUTHORITY REPORT, 1986-87**—To be considered.
- 23 **STATE TRANSPORT AUTHORITY REPORT, 1986-87**—To be considered.
- 24 **TRANSPORT MINISTRY REPORT, 1986-87**—To be considered.
- 25 **CONSUMER AFFAIRS MINISTRY REPORT, 1986-87**—To be considered.
- 26 **ETHNIC AFFAIRS COMMISSION REPORT, 1986-87**—To be considered.
- 27 **INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1986-87**—To be considered.
- 28 **WATER RESOURCES DEPARTMENT REPORT, 1986-87**—To be considered.
- 29 **SUPREME COURT JUDGES' REPORT, 1986 AND RELATED MINISTERIAL STATEMENT**—To be considered.
- 30 **LEO CUSSEN INSTITUTE REPORT, 1986**—To be considered.
- 31 **AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1986-87**—To be considered.
- 32 **CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1986**—To be considered.
- 33 **COMMUNITY SERVICES DEPARTMENT REPORT, 1986-87**—To be considered.
- 34 **DAIRY INDUSTRY AUTHORITY REPORT, 1986-87**—To be considered.
- 35 **EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 21 OCTOBER 1987 REGARDING RESUMPTION OF LAND AT NARRE WARREN**—To be considered.
- 36 **EGG MARKETING BOARD REPORT, 1986-87**—To be considered.
- 37 **GAS AND FUEL CORPORATION REPORT, 1986-87**—To be considered.
- 38 **GRANTS COMMISSION REPORT, 1986-87**—To be considered.
- 39 **LEGAL AID COMMISSION REPORT, 1986-87**—To be considered.
- 40 **LOCAL GOVERNMENT DEPARTMENT REPORT, 1986-87**—To be considered.
- 41 **PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1986-87**—To be considered.
- 42 **PUBLIC TRUSTEE REPORT, 1986-87**—To be considered.
- 43 **SPORT AND RECREATION DEPARTMENT REPORT, 1986-87**—To be considered.

- 44 TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORT, 1986-87—To be considered.
- 45 TRANSPORT BORROWING AGENCY ACCOUNTS, PERIOD ENDED 11 JANUARY 1987—To be considered.
- 46 CRIME VICTIMS' SUPPORT SERVICES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 47 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY—CONSULTATIVE COUNCIL'S REPORT, 1985—To be considered.
- 48 ALPINE RESORTS COMMISSION REPORT, 1985-86—To be considered.
- 49 CRIMES COMPENSATION TRIBUNAL REPORT, 1986-87—To be considered.
- 50 DENTAL BOARD REPORT, 1985-86—To be considered.
- 51 EDUCATION MINISTRY REPORT, 1986-87—To be considered.
- 52 GEELONG REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- 53 LATROBE REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- 54 MEDICAL BOARD REPORT, 1985-86—To be considered.
- 55 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1986-87—
To be considered.
- 56 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1986—To be considered.
- 57 PRISON INDUSTRIES COMMISSION REPORT, 1986-87—To be considered.
- 58 PROPERTY AND SERVICES DEPARTMENT REPORT, 1986-87—To be considered.
- *59 ARTS COUNCIL REPORT, 1986-87—To be considered.
- *60 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1986-87—
To be considered.
- *61 ESTATE AGENTS BOARD REPORT, 1986-87—To be considered.
- *62 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1986-87—To be
considered.
- *63 INDUSTRIAL TRAINING COMMISSION REPORT, 1986-87—To be considered.
- *64 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1986-87—To be considered.
- *65 NURSING COUNCIL REPORT, 1986-87—To be considered.
- *66 PUBLIC ADVOCATE REPORT, 1986-87—To be considered.
- *67 PUBLIC SERVICE BOARD REPORT, 1986-87—To be considered.
- *68 PUBLIC WORKS DEPARTMENT REPORT, 1986-87—To be considered.
- *69 RADIATION ADVISORY COMMITTEE REPORT, 1986-87—To be considered.
- *70 RURAL FINANCE COMMISSION REPORT, 1986-87—To be considered.
- *71 URBAN LAND AUTHORITY REPORT, 1986-87—To be considered.
- *72 ZOOLOGICAL BOARD REPORT, 1986-87—To be considered.

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE—The Honourables M. J. Arnold, W. R. Baxter, M. A. Birrell, B. A. Chamberlain, J. L. Dixon and B. W. Mier.

* * * *

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Business to take precedence—

Tuesday—3.00 p.m.

Tuesday and Thursday—Government business.

Wednesday—2.00 p.m.

† Wednesday—General business.

Thursday—11.00 a.m.

† No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

† Suspended on 27 October 1987 until the end of November 1987.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 36, 37, 38 and 39

No. 36—Tuesday, 10 November 1987

1 The President took the Chair and read the Prayer.

2 **ASSENT TO ACTS**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, on 4 November 1987, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Residential Tenancies (Amendment) Act.

National Mutual Royal Savings Bank Limited (Merger) Act.

3 **PETITIONS**—

BAYSIDE DEVELOPMENT—The Honourables J. V. C. Guest and R. Macey each presented a Petition from certain citizens of Victoria praying that the Bayside Development Project be rejected in its present form.

* * * *

FOOD IRRADIATION—The Honourable J. McLean presented a Petition from certain citizens of Victoria praying that action be taken to ban the importation of radioactive Cobalt 60 or other radioactive substances for the purpose of food irradiation, and to disallow the irradiation of food and the marketing of irradiated food.

* * * *

PUBLIC HOSPITALS CLOSURE—The Honourable R. Macey presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

* * * *

TOBACCO BILL—The Honourable J. McLean presented a Petition from certain citizens of Victoria praying that the Tobacco Bill be given speedy passage through Parliament.

* * * *

Severally ordered to lie on the Table.

4 **DAIRY INDUSTRY (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Dairy Industry Act 1984*, 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**—

SUPREME COURT JUDGES—The Honourable J. H. Kennan presented, by command of His Excellency the Governor, the Report of the Supreme Court Judges for the year 1986.

Ordered to lie on the Table.

The Honourable R. I. Knowles moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

LEO CUSSEN INSTITUTE—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the Leo Cussen Institute for the year 1986.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.

The Honourable R. I. Knowles moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

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

Agriculture and Rural Affairs Department—Report and financial statements for the year 1986–87.

Chiropractors and Osteopaths Registration Board—Report and financial statement for the year 1986.

Community Services Department—Report and financial statements for the year 1986–87.

Dairy Industry Authority—Report and financial statements for the year 1986–87.

Education Act 1958—Minister's certificate of 21 October 1987 regarding the resumption of land at Narre Warren.

Egg Marketing Board—Report for the year 1986–87.

Gas and Fuel Corporation—Report and financial statements for the year 1986–87.

Grants Commission—Report for the year ended 31 August 1987.

Legal Aid Commission—Report and financial statements for the year 1986–87.

Local Government Department—Report and financial statements for the year 1986–87.

Public Authorities Finance Agency—Report and statement of accounts for the year 1986–87.

Public Trustee—Report for the year 1986–87.

Sport and Recreation Department—Report and financial statements for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

Adoption Act 1984—No. 273.

Fisheries Act 1968—Nos. 282 and 283.

Grain Elevators Act 1958—Nos. 280 and 281.

National Gallery of Victoria Act 1966—No. 279.

Public Service Act 1974—PSD Nos. 46, 47 and 49.

Racing Act 1958—No. 285.

Registration of Births Deaths and Marriages Act 1959—No. 284.

Seeds Act 1982—No. 278, together with a copy of Seed Science and Technology, Volume 13, Number 2 1985, which by section 32 of the *Interpretation of Legislation Act 1984* is also required to be laid upon the Table.

Supreme Court Act 1986—No. 286.

Teaching Service Conciliation and Arbitration Commission—Report for the year 1986–87.

Statutory Rules—*continued*

Town and Country Planning Act 1961—Melbourne Metropolitan Planning Scheme—Amendments Nos. 458, 479, 482, 495, 498 and 499 (all with maps).

Transport Borrowing Agency—Statement of accounts for the period 1 July 1986 to 11 January 1987.

The Honourable R. I. Knowles moved, That the Papers tabled by the Clerk, with the exception of Statutory Rules and Planning Schemes under the *Town and Country Planning Act 1961*, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 **MINISTERIAL STATEMENT—SUPREME COURT JUDGES**—The Honourable J. H. Kennan made a Ministerial Statement on the Report of the Supreme Court Judges, 1986.

The Honourable R. I. Knowles (for the Honourable B. A. Chamberlain) moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 7 **RACING (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable 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 later this day.

- 8 **TAXATION ACTS AMENDMENT BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **FIREARMS (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 32

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg (*Teller*)
 R. S. de Fegely (*Teller*)
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

R. I. Knowles
 W. A. Landeryou
 R. Lawson
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 G. A. Sgro
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 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 Honourable G. A. Sgro 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.

- 10 **FISHERIES (ABALONE) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable D. E. Henshaw 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.

- 11 **RACING (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **FIREARMS (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

And having continued to sit until after 12 midnight—

WEDNESDAY, 11 NOVEMBER 1987

The President resumed the Chair; and the Honourable G. A. Sgro 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 **ACCIDENT COMPENSATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Accident Compensation Act 1985’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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 **COURTS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘County Court Act 1958’, the ‘Evidence Act 1958’, the ‘Juries Act 1967’, the ‘Planning Appeals (Amendment) Act 1987’ and the ‘Administrative Appeals Tribunal Act 1984’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, 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 **DAIRY INDUSTRY (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable B. A. Chamberlain (for the Honourable R. I. Knowles) 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 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 12.59 a.m., adjourned until this day at 2.00 p.m.

R. K. EVANS

Clerk of the Legislative Council

No. 37—Wednesday, 11 November 1987

- 1 The President took the Chair and read the Prayer.

- 2 **LOTTERIES GAMING AND BETTING (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Lotteries Gaming and Betting Act 1966’, the ‘Tattersall Consultations Act 1958’, and the ‘Lotteries Gaming and Betting (Amusement Machines) Act 1986’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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—TOBACCO BILL**—The Honourable Rosemary Varty presented a Petition from certain citizens of Victoria praying that the Tobacco Bill be given speedy passage through Parliament.

Ordered to lie on the Table.

- 4 **PAPERS**—

ECONOMIC AND BUDGET REVIEW COMMITTEE—ACTIVITIES, 1985–87—The Honourable D. E. Henshaw presented a Report from the Economic and Budget Review Committee upon Activities of the Committee, 1985–87, together with Appendices.

Ordered to lie on the Table and to be printed.

* * * *

LEGAL AND CONSTITUTIONAL COMMITTEE—CRIME VICTIMS' SUPPORT SERVICES—The Honourable Joan Coxedge presented a Report from the Legal and Constitutional Committee upon Support Services for Victims of Crime, 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.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY CONSULTATIVE COUNCIL—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Report of the Consultative Council on Obstetric and Paediatric Mortality and Morbidity for the year 1985.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable A. J. Hunt (for the Honourable M. A. Birrell) moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk.

Alpine Resorts Commission—Report and statement of accounts for the year ended 31 October 1986.

Crimes Compensation Tribunal—Report for the year 1986–87.

Dental Board—Report and financial statement for the year ended 30 September 1986.

Education Ministry—Report and financial statements for the year 1986–87.

Geelong Regional Commission—Report and financial statements for the year 1986–87.

Latrobe Regional Commission—Report and statement of accounts for the year 1986–87.

Medical Board—Report for the year 1985–86.

Melbourne and Metropolitan Board of Works—Report and financial statements for the year 1986–87.

Parliamentary Committees Act 1968—

Ministers' responses to recommendations in Economic and Budget Review Committee's reports upon certain matters concerning the National Gallery of Victoria and Bush Nursing Services in Victoria (two papers).

Minister's response to recommendations in Social Development Committee's report upon Options for Dying with Dignity.

Physiotherapists Registration Board—Report for the year 1986.

Prison Industries Commission—Report and statement of accounts for the year 1986–87.

Property and Services Department—Report and financial statements for the year 1986–87.

The Honourable Haddon Storey 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.

6 **EDUCATION MINISTRY RESTRUCTURE**—The Honourable Haddon Storey moved, That this House condemns the Government for its mishandling of the restructure of the Education Ministry and calls upon the Government to take immediate steps to ensure that schools will not be disadvantaged at the beginning of the school year in 1988.

Debate ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. W. R. Baxter
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest (*Teller*)
 R. M. Hallam
 A. J. Hunt (*Teller*)
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 18

The Hon. Joan Coxsedge
 G. R. Crawford (*Teller*)
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 7 **FIREARMS (AMENDMENT) BILL**—The Order of the Day was read for the further consideration of this Bill in Committee of the whole.

The Honourable N. B. Reid moved, by leave, That Standing Orders be suspended to the extent necessary to permit the Committee to re-consider clause 13 during the ensuing Committee proceedings.

Question—put and resolved in the affirmative.

The President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to amendments and to the following Resolution:

That it be a suggestion to the Assembly that they make the following amendment in the Bill:

Clause 20, lines 3 to 22, omit paragraph (a) and insert—

‘(a) in sub-section (2)—

(i) for “nine” substitute “eleven”;

(ii) in paragraph (a), for “two” substitute “three”; and

(iii) in paragraph (b), for “two” substitute “three”; and’.

On the motion of the Honourable J. E. Kirner, the Council adopted the Report and 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, and acquainting them that the Council have agreed to amendments in the Bill, with which they desire the concurrence of the Assembly.

Resolved—That the Council will, later this day, again resolve itself into the said Committee.

- 8 **ABATTOIR AND MEAT INSPECTION (ARRANGEMENTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for the reference of certain matters relating to meat inspection to the Parliament of the Commonwealth, to make consequential amendments to certain Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable R. I. Knowles 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 **DAIRY INDUSTRY (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 10 **CONSTITUTION (LEGISLATIVE COUNCIL) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable 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.

- 11 **ROAD SAFETY (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 12 **TAXATION ACTS AMENDMENT BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 14 **COURTS (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, 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 **METROPOLITAN FIRE BRIGADES SUPERANNUATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

16 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.21 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 38—Thursday, 12 November 1987

1 The President took the Chair and read the Prayer.

2 **AGRICULTURAL ACTS (FURTHER AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Dairy Industry Act 1984’, the ‘Barley Marketing Act 1958’, the ‘Dried Fruits Act 1958’, the ‘Abattoir and Meat Inspection Act 1973’, the ‘Stock Diseases Act 1968’, the ‘Prevention of Cruelty to Animals Act 1986’, the ‘Animal Preparations Act 1987’, the ‘Cattle Compensation Act 1967’, the ‘Fruit and Vegetables Act 1958’, the ‘Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977’ and the ‘Canned Fruits Marketing Act 1979’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend ‘The Constitution Act Amendment Act 1958’ to provide for the appointment of an independent Electoral Commissioner, to regulate electoral material, to consequentially amend certain other Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, 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**—

LEGAL AND CONSTITUTIONAL COMMITTEE—PREMIER’S CERTIFICATES—The Honourable Haddon Storey presented the Tenth Report from the Legal and Constitutional Committee on Subordinate Legislation (the Issue of Premier’s Certificates), together with Appendices.

Ordered to lie on the Table and to be printed.

* * * *

ECONOMIC AND BUDGET REVIEW COMMITTEE—PUBLIC HOSPITALS’ ACCOUNTABILITY—The Honourable D. E. Henshaw presented a Report from the Economic and Budget Review Committee upon Accountability Requirements for Public Hospitals in Victoria, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

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

Arts Council—Report for the year 1986–87.

Building Societies Act 1986—Minister's report of failure of Victorian Building Societies Council to submit an annual report to him by 30 September and the reasons therefor.

Conservation, Forests and Lands Department—Report and financial statements for the year 1986–87.

Estate Agents Board—Report and accounts for the year 1986–87.

Guardianship and Administration Board—Report and financial statements for the year 1986–87.

Industrial Training Commission—Report for the year 1986–87.

Institute of Forensic Pathology—Report and financial statements for the year 1986–87.

Nursing Council—Report and financial statement for the year 1986–87 (two papers).

Public Advocate—Report and financial statements for the year 1986–87.

Public Service Board—Report and financial statements for the year 1986–87.

Public Works Department—Report and financial statements for the year 1986–87.

Radiation Advisory Committee—Report for the year ended 31 October 1987.

Rural Finance Commission—Report, balance sheet and statement of accounts for the year 1986–87.

Urban Land Authority—Report and statement of accounts for the year 1986–87.

Zoological Board—Report and statement of accounts for the year 1986–87.

The Honourable Haddon Storey 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 **AGRICULTURAL ACTS (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable R. I. Knowles 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 **LOTTERIES GAMING AND BETTING (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable H. R. Ward 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 later this day.

- 7 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable 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.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.
- 9 **ABATTOIR AND MEAT INSPECTION (ARRANGEMENTS) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 22

The Hon. M. J. Arnold
 W. R. Baxter (*Teller*)
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. A. Murphy
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright

NOES, 13

The Hon. B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative.

Bill read a second time and, by leave, 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 **AGRICULTURAL ACTS (FURTHER AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **ACCIDENT COMPENSATION (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 Honourable G. A. Sgro 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.

- 12 **MINES (MISCELLANEOUS AMENDMENTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Mines Act 1958’, to repeal the ‘Mining Development Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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.

- 13 **LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to revoke the permanent reservation and Crown grant of certain land, to amend the ‘Land Act 1958’, to revoke the permanent reservation of certain land at Benalla and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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.

- 14 **LOTTERIES GAMING AND BETTING (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 15 **ASSENT TO ACT**—The Honourable Evan Walker 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:

Taxation Acts Amendment Act.

- 16 **CONSTITUTION (LEGISLATIVE COUNCIL) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable 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 **MINES (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable Rosemary Varty 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.

- 18 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until tomorrow at 10.30 a.m.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

And the Council having continued to sit until after 12 midnight—

FRIDAY, 13 NOVEMBER 1987

Debate continued.

Question—put and resolved in the affirmative.

And then the Council, at 12.21 a.m., adjourned until this day at 10.30 a.m.

R. K. EVANS

Clerk of the Legislative Council

No. 39—Friday, 13 November 1987

- 1 The President took the Chair and read the Prayer.

- 2 **SHOP TRADING (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Shop Trading Act 1987’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **PETITIONS—PUBLIC HOSPITALS CLOSURE**—The Honourables M. A. Birrell and R. Macey each presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

Severally ordered to lie on the Table.

- 4 **PAPERS**—

PORTLAND SMELTER UNIT TRUST—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of—

(a) the Portland Smelter Unit Trust Financial Statements for the year 1986–87; and

(b) the Treasurer’s Statement on the Portland Smelter Joint Venture Project.

Question—put and resolved in the affirmative.

The said Papers were thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Statements be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

VICTORIAN TAXATION—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of a Summary of Victorian Taxation.

Question—put and resolved in the affirmative.

The said Paper was thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable Haddon Storey (for the Honourable J. V. C. Guest) moved, That the Summary be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

ENVIRONMENT COMMISSIONER—The Honourable J. H. Kennan moved, by leave, That there be laid before this House a copy of the Report of the Commissioner for the Environment for the year 1986–87.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable J. H. Kennan and ordered to lie on the Table.

* * * *

PUBLIC BODIES REVIEW COMMITTEE—POULTRY INDUSTRY BODIES—The Honourable A. J. Hunt presented a Report from the Public Bodies Review Committee upon the Poultry Farmer Licensing Committee, the Poultry Farmer Licensing Review Committee and the Victorian Egg Marketing Board, together with Appendices, Extracts from the Proceedings, an Attachment, Bibliography, Minutes of Evidence and a Minority Report.

Ordered to lie on the Table and the Report, Appendices, Extracts from the Proceedings, Attachment, Bibliography and Minority Report to be printed.

* * * *

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—PRE-PAID FUNERALS—The Honourable J. G. Miles presented the Eighth Report from the Mortuary Industry and Cemeteries Administration Committee upon Pre-paid Funerals, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

* * * *

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

Accident Compensation Act 1985—Minister's report of 11 November 1987 of failure of Victorian Accident Rehabilitation Council to submit an annual report to him by 30 September and the reasons therefor.

Accident Rehabilitation Council—Report and financial statements for the year 1986–87.

Corrections Office—Report and financial statements for the year 1986–87.

Director of Public Prosecutions Office—Report and financial statements for the year 1986–87.

Economic Development Corporation—Determination of quantitative targets for the year 1987–88.

Equal Opportunity Commissioner and Equal Opportunity Board— Report for the year 1986–87.

Exhibition Trustees—Report for the year 1985–86.

Health Department—Report and financial statements for the year 1986–87.

Historic Buildings Council—Report for the year 1986–87.

Law Reform Commission—

Report and financial statements for the year 1986–87.

Report upon the Torrens Register Book.

Management and Budget Department—Report and financial statements for the year 1986–87.

State Insurance Office Act 1984—Treasurer's report of 10 November 1987 of failure of State Insurance Office Board of Management to submit an annual report to him by 30 September and the reasons therefor.

State Insurance Office—Report and financial statements for the year 1986–87.

Zoological Board—Reports and statements of accounts for the years 1982–83, 1983–84 and 1984–85 (three papers).

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 **SHOP TRADING (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. S. de Fegely) 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 **LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable R. S. de Fegely 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 **CONSTITUTION (LEGISLATIVE COUNCIL) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

And the debate having concluded, the President said—

The debate on the second reading having now concluded, I advise Honourable Members that I am of opinion that the second and third readings of this Bill require to be passed with the concurrence of an absolute majority of Members of the House.

I presume from the tenor of the debate that this vote will be recorded upon division—in which case the absolute majority question will also become apparent—so I propose to call for a vote on the voices initially.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 19

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely

C. J. Hogg	B. P. Dunn
J. H. Kennan	D. M. Evans (<i>Teller</i>)
C. J. Kennedy (<i>Teller</i>)	F. J. Granter
J. E. Kirner	J. V. C. Guest
W. A. Landeryou (<i>Teller</i>)	R. M. Hallam
M. A. Lyster	A. J. Hunt
J. McLean	R. I. Knowles
B. W. Mier	R. Lawson (<i>Teller</i>)
B. A. Murphy	R. Macey
B. T. Pullen	J. G. Miles
G. A. Sgro	N. B. Reid
C. F. Van Buren	Haddon Storey
Evan Walker	Rosemary Varty
D. R. White	H. R. Ward
	K. I. M. Wright

The numbers having been reported, the President said—

The result of the Division is “Ayes” 19; “Noes” 20.

In accordance with my understanding of the law as previously communicated to the House, I claim a deliberative vote on this question and cast my vote with the “Noes”. The result, then, is that the “Ayes” total 19 and the “Noes” 21.

That being so, an absolute majority has not been obtained and the Bill has not, therefore, received a second reading.

And so it passed in the negative.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 9 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable 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 Friday next.

- 10 **TEACHING SERVICE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to give the Industrial Relations Commission jurisdiction over the terms and conditions of staff employed in the teaching service and the technical and further education teaching service, to amend the ‘Teaching Service Act 1981’, the ‘Post-Secondary Education Act 1978’, the ‘Teaching Service Act 1983’, the ‘Teaching Service (Amendment) Act 1984’, and the ‘Industrial Relations Act 1979’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable 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 later this day.

- 11 **TOBACCO BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made by the Council, have disagreed with one of the said amendments,

and have agreed to the remaining amendments with amendments, and desiring the concurrence of the Council therein.

Ordered—That the Message be taken into consideration later this day.

- 12 **GEELONG MARKET SITE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Geelong Market Site Act 1983’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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.

- 13 **TOBACCO BILL**—The Order of the Day having been read for the consideration of the Message from the Assembly relating to amendments made by the Council in this Bill (see item 11 *ante*)—

The amendments remaining for consideration by the Council were read and are as follows:

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
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*	*	*	*
No. 2	Clause 2, line 12, omit “Section 6 (2) comes” and insert “Sections 6 (2), 9 and 10 come”.		Disagreed with.
*	*	*	*
No. 15	<p>Clause 9, after line 24 insert—</p> <p>“(3) Nothing in sub-section (1) or (2) applies to the giving of, or an agreement to give, a scholarship by a manufacturer or distributor of a tobacco product to an employee or a member of the family of an employee, of the manufacturer or distributor.</p> <p>(4) Nothing in this section applies to the annual festival known as the Myrtleford Tobacco and Hops Festival.”.</p>		<p>Agreed to, with the following amendment:</p> <p>In sub-clause (4), omit “and Hops” and insert “, Hops and Timber”.</p>
*	*	*	*
No. 58	<p><i>Insert the following new clause to follow clause 9:</i></p> <p>Exemptions.</p> <p>“AA. (1) Sections 6 (1) (c), 6 (2) and 9 do not apply to a person who, under a contract or agreement relating to a sports or arts function or event or series of functions or events, with another person, in exchange for a sponsorship, gift, prize or like benefit, displays only in connection with such a function or event—</p> <p>(a) the whole or part of a trademark, or brand name of a tobacco product; or</p>		<p>Agreed to, with the following amendment:</p> <p>In sub-clause (1) after “restricted” insert “in accordance with the regulations”.</p>

*Amendments made by the Legislative Council**How dealt with by the Legislative Assembly*

- (b) the name of the manufacturer or distributor of a tobacco product—

if the display of the trademark, brand name or name is restricted to—

- (c) signs or objects on or within the site of such a function or event; or
 (d) naming such a function, event or part of such a function or event, a scholarship, gift or prize; or
 (e) any booklet, leaflet or handbill distributed to the public; or
 (f) signs or objects on the outside of any road, sea or air vehicle used in any such function or event or on any participant in any such function or event.

(2) The Governor in Council, on the recommendation of the Minister, by Order published in the *Government Gazette*, may declare that section 6 (2) does not apply in respect of a specified tobacco advertisement or a specified class of tobacco advertisement placed or displayed before 1 July 1991 in accordance with an agreement entered into before 8 October 1987.

(3) In making a recommendation to the Governor in Council for the purposes of sub-section (2), the Minister must take into account—

- (a) the desirability of the application of the prohibitions in section 6 (2) in stages; and
 (b) the extent to which undue hardship will be suffered by compliance with section 6 (2) before 1 July 1991.”.

* * * *

No. 60 *Insert the following new clause to follow clause 19:*

Membership of Foundation.

“AAA. (1) The Foundation shall consist of—

- (a) three persons with expertise in health and illness prevention, one of whom shall be chosen by the Minister from a panel of three names submitted by the Anti-Cancer Council; and
 (b) four persons with expertise in sport or sports administration, one of whom shall be chosen by the Minister from a panel of three names submitted by the Sports Federation of Victoria or, if that

Agreed to, with the following amendments:

1. In sub-clause (3) (a) omit “Governor in Council” and insert “regulations”.
2. Omit sub-clause (4) and insert:
 “(4) If the regulation appointing a member is disallowed, the appointment ceases to have effect.”.
3. Omit sub-clauses (5) and (6).

*Amendments made by the Legislative Council**How dealt with by the Legislative Assembly*

body ceases to exist, another body representing amateur sport in Victoria and nominated by the Minister and one of whom shall be nominated by the Minister as representing country sport; and

- (c) two persons with expertise in business, management, communications or law; and
- (d) one person with expertise in the arts or arts administration; and
- (e) one person with expertise in advertising; and
- (f) three persons who are members of the Legislative Council or the Legislative Assembly elected by the Legislative Council and Legislative Assembly jointly.

(2) The Minister may appoint a Chairperson and a Deputy Chairperson from amongst the members referred to in sub-section (1) (other than paragraph (f)).

(3) The members (other than the members referred to in sub-section (1) (f))—

- (a) shall be appointed by the Governor in Council; and
- (b) are not, in respect of the office of member, subject to the *Public Service Act 1974*.

(4) The appointment of a member takes effect on the day on which notice of the appointment is published in the *Government Gazette*.

(5) The appointment of a member may be disallowed by resolution of either House of the Parliament.

(6) Notice of a resolution to disallow the appointment of a member must be given in the House in question on or before the fifth sitting day of the House after notice of the appointment is published in the *Government Gazette* and the resolution must be passed on or before the seventh day on which that House sits after notice of the resolution has been given in the House but the power of the House to pass the resolution is not affected by the prorogation or dissolution of the Parliament or of either House of the Parliament and for the purpose of this sub-section the calculation of days of which a House has sat shall be made as if there had been no such prorogation or dissolution.”.

The Honourable Evan Walker (for the Honourable D. R. White) moved, That the Council do not insist on Amendment No. 2 with which the Assembly have disagreed. Question—put and resolved in the affirmative.

The Honourable Evan Walker (for the Honourable D. R. White) moved, That the Council agree to the amendments made by the Assembly on Amendments Nos. 15, 58 and 60.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

- 14 **GEELONG MARKET SITE (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, 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 **MINES (MISCELLANEOUS AMENDMENTS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **MELBOURNE LANDS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to revoke the permanent reservations and Crown grants of certain lands and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White (for the Honourable J. H. Kennan), 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.

- 17 **RIVER MURRAY WATERS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'River Murray Waters Act 1982' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable 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 later this day.

- 18 **LA TROBE UNIVERSITY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to provide for the incorporation of Lincoln Institute of Health Sciences as a School of La Trobe University, to amend the 'La Trobe University Act 1964' and the 'Post-Secondary Education Act 1978' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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 later this day.

- 19 **SHOP TRADING (AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 36

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long (*Teller*)
 M. A. Lyster (*Teller*)
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative.

Bill read a second time and, by leave, 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 **TEACHING SERVICE (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable R. Lawson 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.

- 21 **PAPERS**—

POLICE FORCE—The Honourable J. E. Kirner presented, by command of His Excellency the Lieutenant-Governor, the Report of the Victoria Police Force for the year 1986–87.

Ordered to lie on the Table.

* * * *

GOVERNMENT MAJOR PROJECTS UNIT—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of the Report of the Victorian Government Major Projects Unit for the year 1986–87.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

* * * *

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

Attorney-General's Department—Report and financial statements for the year 1986–87.

Police and Emergency Services Ministry—Report and financial statements for the year 1986–87.

Rural Water Commission—Report and financial statements for the year 1986–87.

Small Business Development Corporation—Report, balance sheet and statements of account for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

Environment Protection Act 1970—Nos. 291 and 292.

Health Act 1958—Nos. 288, 290 and 301.

Pharmacists Act 1974—No. 289.

Police Regulation Act 1958—No. 294.

Public Service Act 1974—PSD No. 48.

The Honourable Haddon Storey 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.

- 22 **LA TROBE UNIVERSITY (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 23 **RIVER MURRAY WATERS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time, 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 Honourable G. A. Sgro 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.

- 24 **FIREARMS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have made the amendment suggested by the Council, with which they desire the concurrence of the Council and, in respect of the amendments made by the Council in the Bill, have agreed to some of the amendments, have agreed to certain amendments with amendments, have disagreed with one amendment, and have disagreed with another amendment but have made amendments, and desiring the concurrence of the Council.

Ordered—That, insofar as it relates to the suggested amendment, the Bill be referred to the Committee of the whole on the Bill, and that the remainder of the Message be taken into consideration later this day.

- 25 **LIQUOR CONTROL BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they have agreed to some of the amendments made in such Bill by the Council, have agreed to certain amendments with amendments, have agreed to one amendment and made amendments, and have disagreed with another amendment but have made amendments, and desiring the concurrence of the Council.

Ordered—That the Message be taken into consideration later this day.

- 26 **ADOPTION (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.

- 27 **CRIMES (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 an amendment, and desiring the concurrence of the Council therein.

Ordered—That the amendment be taken into consideration later this day.

- 28 **MELBOURNE LANDS BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, 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 **CHIROPRACTORS AND OSTEOPATHS (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.

- 30 **LAND (AMENDMENT AND MISCELLANEOUS MATTERS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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, after debate, 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 **FIREARMS (AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had agreed to the Bill, including the amendment made by the Assembly on the suggestion of the Council, without further amendment.

On the motion of the Honourable J. E. Kirner, the Council adopted the report from the Committee of the whole, and the Bill was read a third time and passed.

- 32 **FIREARMS (AMENDMENT) BILL**—The Order of the Day having been read for the consideration of the Message from the Assembly relating to amendments made by the Council in this Bill (see item 24 *ante*)—

The amendments remaining for consideration by the Council were read and are as follows:

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
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*	*
No. 6 Clause 9, line 24, omit all words and expressions on this line and insert— “(a) is a person engaged in primary production within the meaning of Part IIIA, is a member of a sporting or recreational shooting organisation approved by the Firearms Consultative Committee or has another good reason to possess that firearm; and”.	Agreed to, with the following amendment: Omit “; is a member of a sporting or recreational shooting organisation approved by the Firearms Consultative Committee”.
*	*

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
No. 9 Clause 12, lines 15 and 16, omit "\$2000 or imprisonment for not more than six months" and insert "\$500 or imprisonment for not more than one month".	Agreed to, with the following amendments: 1. Omit "\$500" and insert "\$1000". 2. Omit "one month" and insert "three months".
* * * *	
No. 12 Clause 13, after line 34 insert— “(2) In section 24 of the Principal Act, for sub-section (3) substitute— ‘(3) Any person who sells a firearm or imitation pistol in contravention of sub-section (1) is guilty of an offence and liable to a penalty of \$500 or imprisonment for a term of not more than one month.’”.	Agreed to, with the following amendments: 1. Omit "\$500" and insert "\$1000". 2. Omit "one month" and insert "three months".
No. 13 Clause 14, page 7, lines 3 and 4, omit "\$2000 or imprisonment for a term of not more than six months" and insert "\$500 or imprisonment for not more than one month".	Agreed to, with the following amendments: 1. Omit "\$500" and insert "\$1000". 2. Omit "one month" and insert "three months".
* * * *	
No. 17 Clause 15, page 7, lines 28 to 37 and page 8, lines 1 to 6, omit all words and expressions on these lines.	Disagreed with, but the following amendments made in the Bill: 1. Clause 15, page 7, line 29, after "purchase" insert "fixed". 2. Clause 15, page 7, line 36, after "sell" insert "fixed". 3. Clause 15, page 8, after line 6 insert— “(3) Sub-sections (1) and (2) do not apply to the sale of fixed ammunition to a person who is not the holder of a shooter’s licence, if the seller reasonably believes that the purchaser is acting on behalf of a person who is engaged in primary production within the meaning of Part IIIA and who holds a shooter’s licence”.
* * * *	
No. 20 Clause 18, line 22, omit "\$2000 or six months’ imprisonment" and insert "\$500 or one month’s imprisonment".	Agreed to, with the following amendments: 1. Omit "\$500" and insert "\$1000". 2. Omit "one month’s imprisonment" and insert "imprisonment for a term of not more than three months".
* * * *	
No. 27 Clause 21, line 28, omit "(b)" and insert "(c)".	Agreed to, with the following amendment: Omit "(c)" and insert "; and (c)".
No. 28 Clause 21, line 29, after ‘courses.’ insert— ”; and (d) to approve sporting and recreational shooting organisations for the purposes of this Act.”.	Disagreed with.
* * * *	

The Honourable J. E. Kirner moved, That the Council agree to the amendment made by the Assembly to Amendment No. 6.

The Honourable N. B. Reid moved, as an amendment, That the following words be added to the question:

“but that the words ‘is a member and has been a member for not less than twelve months of a sporting or recreational shooting organisation approved by the Firearms Consultative Committee’ be inserted in place of the words omitted by the Assembly”.

Debate ensued.

Question—That the words proposed to be added be so added—put.

The Council divided.

AYES, 35

NOES, 5

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 J. McLean (*Teller*)
 R. Macey (*Teller*)
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

And so it was resolved in the affirmative.

Question—That the Council agree to the amendment made by the Assembly to Amendment No. 6, but that the words “is a member and has been a member for not less than twelve months of a sporting or recreational shooting organisation approved by the Firearms Consultative Committee” be inserted in place of the words omitted by the Assembly—put and resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council agree to the amendments made by the Assembly to Amendment No. 9.

Debate ensued.

Question—put.

The Council divided.

AYES, 35

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 J. McLean
 R. Macey
 B. W. Mier (*Teller*)
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid (*Teller*)
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council agree to the amendments made by the Assembly to Amendments Nos. 12 and 13.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council do not insist on Amendment No. 17 with which the Assembly have disagreed, and that it agree to amendments made by the Assembly to Clause 15.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council agree to the amendments made by the Assembly to Amendments Nos. 20 and 27.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council insist on Amendment No. 28 with which the Assembly have disagreed.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

33 **LIQUOR CONTROL BILL**—The Order of the Day having been read for the consideration of the Message from the Assembly relating to amendments made by the Council in this Bill (see item 25 *ante*)—

The amendments remaining for consideration by the Council were read and are as follows:

Amendments made by the Legislative Council *How dealt with by the Legislative Assembly*

*	*
*	*
No. 23 Clause 77, page 41, after line 4 insert— “(iii) that the Council of the municipality in which the premises to which the application relates are, or are proposed to be, situated has made no representations under section 74 that the grant of the application is not in the interest of the community; and”.	Agreed to, with the following amendment: In paragraph (a) (iii), omit “the Council of the municipality in which the premises to which the application relates are, or are proposed to be, situated has made no representations” and insert “no representation has been made”.
*	*

*	*
*	*
No. 25 Clause 78, after line 18, insert— “(c) that the Council of the municipality in which the premises to which the application relates are, or are proposed to be, situated has made representations under section 74 that the grant of the application is not in the interest of the community—”.	Agreed to, with the following amendment: In paragraph (c), omit “the Council of the municipality in which the premises to which the application relates are, or are proposed to be, situated has made representations” and insert “a representation has been made”.
*	*

*	*
*	*
No. 33 Clause 164, line 13, omit “transferred,”.	Agreed to, with the following amendments: 1. Clause 164, line 19, after “to the” insert “transfer,”. 2. Clause 164, line 20, omit “transfer or”. 3. Clause 164, line 25, after “so” insert “transferred,”.
*	*

*	*
*	*
No. 39 Clause 173, line 33, after this line insert— “() The following provisions have effect for the purposes of the grant of a licence or permit in respect of premises in a district referred to in sub-section (1);	Agreed to, with the following amendments: 1. In paragraph (a), omit “or a permit”. 2. In paragraph (a), omit “or permit”. 3. In paragraph (c), omit “or permit”.

*Amendments made by the Legislative Council**How dealt with by the Legislative Assembly*

- (a) Before a new licence is granted in or an existing licence is removed to any part of that district, the Commission shall in the case of a general licence, a residential licence, an on-premises licence or a club licence and may if it thinks proper in the case of any other licence or a permit order a vote of electors to be taken in the neighbourhood surrounding the proposed site of the premises in respect of which a licence or permit has been applied for or to which a licence or permit is sought to be removed (as the case may be);
- (b) The neighbourhood shall be delineated by the Commission after consultation with the Chief Electoral Officer;
- (c) The resolution to be submitted at the vote of electors shall be—
- That a licence or permit (*nature of licence or permit to be stated*) be granted in [or removed to] the neighbourhood (*neighbourhood to be sufficiently indicated*);
- (d) If a majority of the electors voting formally vote against the resolution, the Commission shall not grant the application for the licence or for the removal of the licence (as the case may be) nor shall it grant any application for a licence in or the removal of a licence to that neighbourhood within three years after the taking of such vote;
- (e) When the Commission orders a vote to be taken under this section, the Chief Electoral Officer shall take a vote of electors accordingly and for that purpose—
- (i) he or she may make all proper arrangements for the taking of the vote;
 - (ii) every elector within the neighbourhood delineated who is entitled to be enrolled on an electoral roll for the Legislative Assembly on the sixtieth day before the taking of the vote shall be qualified to vote but may vote once only;

*Amendments made by the Legislative Council**How dealt with by the Legislative Assembly*

- (iii) the manner of voting shall be similar to that followed in the election of members to serve in the Legislative Assembly but the voting paper shall be marked as prescribed thereon;
- (iv) subject to and for the purposes of this section the provisions of any law relating to rolls, electors and elections for the Legislative Assembly (including the provisions relating to compulsory voting and voting by post and the provisions relating to offences in connection with such elections but not including the provisions relating to absent voting) shall with such adaptations as are necessary as so far as the provisions can be made applicable by the regulations, apply to the taking of a vote under this section:
- Provided that every application for a postal ballot-paper in relation to the vote of electors shall, where the postal ballot-paper is to be forwarded to the applicant, require that it be posted addressed to him or her at his or her place of living at the time when it would be delivered in the ordinary course of post (which place shall be specified in the application), and every postal ballot-paper posted to an applicant shall be addressed accordingly;
- (v) the result of the voting shall be notified by the Chief Electoral Officer in the *Government Gazette*;
- (vi) the Governor in Council may make regulations prescribing the form of voting paper and all matters and things authorised to be prescribed or necessary or convenient to be prescribed for the carrying out and giving effect to the provisions of this section.”.

*Amendments made by the Legislative Council**How dealt with by the Legislative Assembly*

*	*	*	*
<p>No. 41 Insert the following new clause to follow clause 104—</p> <p>Review by Full Commission.</p> <p>“AA. The applicant for a licence or a permit or the licensee or permittee or the Council of the municipality in which premises to which a licence, permit or application relates are, or are proposed to be, situated may apply for a review by the full bench of the Commission of any determination of the Commission made by a Commissioner sitting alone which determines any question relating to the interest of the community.”</p>		<p>Disagreed with, but the following amendments made in the Bill:</p> <ol style="list-style-type: none"> 1. Clause 3, page 2, after line 16, insert— “Deputy Commissioner” means the Deputy Commissioner appointed under this Act.”’. 2. Clause 8, after line 12, insert— “(b) a Deputy Commissioner; and”. 3. Heading preceding clause 10, after “Commissioner” insert “, Deputy Commissioner”. 4. Clause 10, line 3, after “Commissioner” insert “Deputy Commissioner”. 5. Clause 10, after line 6, insert— “() The Deputy Commissioner may be appointed as a full-time or part-time Deputy Commissioner.”. 6. Clause 10, line 9, after “Commissioner” insert “Deputy Commissioner”. 7. Clause 10, line 10, after “Commissioner” (where secondly occurring) insert “Deputy Commissioner”. 8. Clause 11, line 14, after “Commissioner” insert “or Deputy Commissioner”. 9. Clause 12, line 17, after “Commissioner” insert “Deputy Commissioner”. 10. Clause 12, line 22, after “Commissioner” insert “or Deputy Commissioner”. 11. Clause 12, line 25, after “Commissioner” (where first occurring) insert “or Deputy Commissioner”. 12. Clause 12, line 27, after “Commissioner” insert “, Deputy Commissioner”. 13. Clause 13, after line 32, insert— “() The Deputy Commissioner shall be paid such remuneration and allowances as are determined by the Governor in Council.”. 14. Clause 14, line 36, after “Commissioner” insert “or Deputy Commissioner”. 15. Clause 14, page 10, line 2, after “Commissioner” insert “or Deputy Commissioner”. 16. Clause 15, after line 9, insert— 	

*Amendments made by the Legislative Council**How dealt with by the Legislative Assembly*

“() The Governor in Council may appoint a person who is a legal practitioner of not less than five years' standing to act as Deputy Commissioner during any period, or during all periods, when the Deputy Commissioner is absent from duty or during a vacancy in the office of Deputy Commissioner.”.

17. Clause 15, line 14, after “Commissioner” (where first occurring) insert “, Deputy Commissioner”.
18. Clause 15, line 15, after “Commissioner” insert “, Deputy Commissioner”.
19. Clause 15, line 16, after “Commissioner” (where secondly occurring) insert “Deputy Commissioner”.
20. Clause 15, line 26, after “Commissioner” (where first occurring) insert “Deputy Commissioner”.
21. Clause 15, line 29, after “Commissioner” insert “, Deputy Commissioner”.
22. Clause 15, line 32, after “Commissioner” insert “, Deputy Commissioner”.
23. Clause 15, line 35, after “Commissioner” (where first occurring) insert “, Deputy Commissioner”.
24. Clause 15, line 38, after “Commissioner” (where first occurring) insert “, Deputy Commissioner”.
25. Clause 15, line 39, after “Commissioner” (where first occurring) insert “, Deputy Commissioner”.
26. Clause 16, line 16, after “delegate to” insert “the Deputy Commissioner or”.
27. Clause 17, line 20, after “Commissioner” (where first occurring) insert “or Deputy Commissioner”.
28. Clause 17, line 22, after “Commissioner” (where first occurring) insert “or Deputy Commissioner”.
29. Clause 18, line 25, after “Commissioner” insert “or Deputy Commissioner”.

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
	30. Clause 19, line 29, after "Commissioner" insert ", Deputy Commissioner".
	31. Clause 19, line 31, after "Commissioner" insert ", Deputy Commissioner".
	32. Clause 19, line 38, after "Commissioner" insert ", Deputy Commissioner".
	33. Clause 20, line 2, after "Commissioner" (where first occurring) insert ", Deputy Commissioner".
	34. Clause 21, line 6, after "Commissioner" (where first occurring) insert ", Deputy Commissioner".
	35. Clause 21, line 8, after "Commissioner" insert ", Deputy Commissioner".
	36. Clause 21, line 10, after "Commissioner" (where first occurring) insert ", Deputy Commissioner".
	37. Clause 21, line 14, after "Commissioner" insert "or Deputy Commissioner".
	38. Clause 22, line 20, after "Commissioner" insert ", Deputy Commissioner".
	39. Clause 22, line 22, after "Commissioner" insert ", Deputy Commissioner".
	40. Clause 23, line 26, after "23." insert "(1)".
	41. Clause 23, line 27, after "Commissioner" insert "or the Deputy Commissioner".
	42. Clause 23, after line 28, insert— “() The Full Commission shall be constituted by three members, being the Commissioner or the Deputy Commissioner and two other members.”.
	43. Clause 25, line 11, after "Commissioner" (where first occurring) insert ", Deputy Commissioner".
	44. Clause 25, line 16, after "Commissioner" (where first occurring) insert ", Deputy Commissioner".
	45. Clause 25, line 39, after "Commissioner" (where first occurring) insert "or Deputy Commissioner".

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
	46. Clause 25, line 41, after "Commissioner" (where first occurring) insert "or Deputy Commissioner".
	47. Clause 28, line 15, after "Commissioner" (where first occurring) insert ", Deputy Commissioner".
	48. Clause 30, line 22, after "Commissioner" (where first occurring) insert ", Deputy Commissioner".
	49. Clause 31, line 30, after "Commissioner" insert ", Deputy Commissioner".
	50. Clause 31, line 32, after "Commissioner" (where first occurring) insert ", Deputy Commissioner".
	51. Insert the following new clause to follow Division heading on page 50, line 26— <p style="text-align: center;">Review by Full Commission.</p> <p>"AA. (1) A person aggrieved by a decision of the Commission constituted by a single member in a proceeding to which the person was a party may apply in writing to the Commission not later than the 28th day after the decision for a review of the decision by the Full Commission.</p> <p>(2) A member of the Commission is not eligible to be a member of the Full Commission for the purposes of a review of a decision of the Commission constituted by that member.</p> <p>(3) The Full Commission may exercise all the powers and discretions of the Commission and shall make a decision—</p> <p>(a) affirming the decision under review; or</p> <p>(b) varying the decision under review; or</p> <p>(c) setting aside the decision under review and making a decision in substitution for the decision set aside."</p>
	52. Clause 155, line 2, after "Commissioner" insert ", Deputy Commissioner",."

The Honourable J. E. Kirner moved, That the Council agree to the amendments made by the Assembly to Amendments Nos. 23 and 25.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council agree to the further amendments made by the Assembly to Amendment No. 33.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council agree to the amendments made by the Assembly to Amendment No. 39.

Debate ensued.

Question—put and resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council do not insist on Amendment No. 41 with which the Assembly have disagreed, and agree to the amendments made by the Assembly.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

34 **CHIROPRACTORS AND OSTEOPATHS (AMENDMENT) 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 5, line 14, omit “or” and insert “and”.
2. Clause 5, line 15, omit “or” and insert “and”.
3. Clause 5, line 18, omit “or” and insert “and”.
4. Clause 5, line 20, omit “or” and insert “and”.
5. Clause 5, line 21, omit “or” and insert “and”.

On the motion of the Honourable D. R. White the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

35 **ADOPTION (AMENDMENT) 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 7, line 2, omit all words and expressions on this line and insert the following:
 - ‘7. (1) In section 35 (1) (c) of the Principal Act, omit “before an adoption order is made”.
 - (2) After section 74 (3) of the Principal Act, insert—’.
2. Clause 8, page 8, line 4, omit “Part VI. the Director-General” and insert “an application under Part VI. a relevant authority”.
3. Clause 8, page 8, line 8, omit “Director-General” and insert “relevant authority”.

NEW CLAUSE

4. *Insert the following New Clause to follow Clause 10:*

Information about adopted person.

‘AA. In section 90 of the Principal Act—

(a) for “90. Where” substitute “90. (1) Where”; and

(b) in paragraph (a) (ii), after “Director-General” insert “(or any other relevant authority, subject to sub-section (2))”; and

(c) at the end of the section, insert—

“(2) For the purposes of sub-section (1) (a) (ii), if an application for information referred to in that provision is an application for information about an adopted person, a relevant authority other than the Director-General may make a request under that provision to the Registrar for any information which is contained in entries in the Register of Births, Register of Deaths or Register of Marriages about the natural parents or natural relatives (within the meaning of section 97) of the adopted person.

(3) The power of a relevant authority to make a request under sub-section (2) does not limit the power of the Director-General to make that same type of request under sub-section (1) (a) (ii).”.

On the motion of the Honourable Evan Walker (for the Honourable C. J. Hogg), 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.

- 36 **CRIMES (AMENDMENT) 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 4, line 24, omit “Act” and insert “Part”.

On the motion of the Honourable J. H. Kennan, the Council agreed to the amendment made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

And the Council having continued to sit until after 12 midnight—

SATURDAY, 14 NOVEMBER 1987

- 37 **MEDICAL TREATMENT BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable W. R. Baxter moved, That the debate be now adjourned.

Debate ensued.

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.

- 38 **WORKCARE (JOINT) COMMITTEE**—The Honourable Evan Walker moved, by leave—

1. That a Joint Select Committee be appointed to enquire into and report upon all aspects of the operation of Victorian Accident Compensation legislation and the WorkCare scheme, including its administration by the Accident Compensation Commission, the Accident Compensation Tribunal, the Victorian Accident Rehabilitation Council, agents for any of the foregoing and any other person or body associated with any of the foregoing.
2. That, without at any time limiting the generality of the Committee’s powers of inquiry, the Committee’s investigation shall include a review of the transitional proposals contained in Clause 72 of the Accident Compensation (Amendment) Bill as introduced into the Assembly on 17 September 1987 regarding—
 - contributions of Insurers towards compensation paid by the Accident Compensation Commission;
 - conduct of common law proceedings; and
 - supplementation payments from the Accident Compensation Fund;

and the Committee shall report its findings on these matters no later than 1 March 1988.

Reporting

3. That the Committee may report from time to time but shall present its final report no later than 31 May 1988.

Membership

4. That the Committee shall consist of ten Members comprising not more than six Members of the Council nor more than six Members of the Assembly.

Quorum

5. That five Members of the Committee shall constitute a quorum of the Committee, but a quorum shall not consist exclusively of Members of the Council or Members of the Assembly.

Chairman

6. That the Committee shall elect one of the Government Members of the Committee to be Chairman.
7. That the Chairman shall have a deliberative vote and, in the event of an equality of votes, shall have a casting vote.

Deputy Chairman

8. That the Committee may elect a Deputy Chairman who shall exercise all the powers and perform all the duties of the Chairman at any time when the Chairman is not present at a meeting of the Committee.

Sitting Times and Places

9. That the Committee may sit in such places in Victoria as seems most convenient for the proper and speedy despatch of business.
10. The Committee shall not sit while either House is actually sitting except by leave of that House and may not, while either House is actually sitting, sit in any place other than a place that is within the Parliament buildings.

Evidence

11. That the Committee may send for persons, papers and records and report the minutes of evidence from time to time.
12. That the Committee shall unless it otherwise resolves take all evidence in public.
13. That the Committee shall keep a record of all evidence given before it and determinations made by it.
14. That the Committee have the power to authorize publication of any evidence given before it in public and any document presented to it.
15. That as soon as practicable after the completion of each day's proceedings a transcript of the evidence taken in public by the Committee shall be published.

Payment of Members

16. That the Committee be a Committee to which section 51A of the *Parliamentary Committees Act 1968* applies.

Conflict with Standing Orders

17. That the foregoing provisions of this resolution so far as they are inconsistent with the Standing Orders and practices of the Houses shall have effect notwithstanding anything contained in those Standing Orders.

Expiry of Resolution

18. That this resolution shall have effect up to and until 31 May 1988.

Debate ensued.

Question—put and resolved in the affirmative.

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

- 39 **WORKCARE (JOINT) COMMITTEE**—The Honourable Evan Walker moved, by leave, That, contingent upon the Assembly agreeing to the Resolution for the appointment of such a Committee, the Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty be members of the Joint Select Committee on WorkCare.

Question—put and resolved in the affirmative.

- 40 **INFERTILITY (MEDICAL PROCEDURES) (AMENDMENT) BILL (No. 2)**—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 Message be now taken into consideration.

And the said amendments were read and are as follows:

1. Clause 4, page 2, line 24, omit "or 13" and insert ", 13 or 13A".
2. Clause 4, page 2, line 40, omit "or 13" and insert ", 13 or 13A".
3. Clause 4, page 3, line 3, omit "or 13" and insert ", 13 or 13A".
4. Clause 4, page 3, line 20, omit "or 13" and insert ", 13 or 13A".
5. Clause 4, page 3, after line 21 insert—

'(3) After section 13 of the Principal Act insert—

Gamete intra-fallopian transfer and related procedures.

"13A. (1) This section applies to any procedure of implanting in the body of a woman (in this section called "the patient") an ovum, whether produced by that woman or by another woman, and whether or not it has been fertilized outside the body of the patient.

(2) A procedure to which this section applies shall not be carried out at a place other than a hospital that is approved by the Minister as a place at which such procedures may be carried out.

(3) A procedure to which this section applies shall not be carried out unless—

- (a) the patient is a married woman;
- (b) the patient and her husband have each consented in writing to the carrying out of the procedure and neither the patient nor her husband has withdrawn that consent;
- (c) not less than twelve months before the carrying out of the procedure, the patient and her husband had begun to undergo, and have undergone, such examination or treatment by a medical practitioner (other than the medical practitioner by whom the procedure is to be carried out) as might reasonably be expected to establish whether or not a procedure other than a fertilization procedure might cause the woman to become pregnant;
- (d) as a result of that examination or treatment, a medical practitioner (other than the medical practitioner by whom the procedure is to be carried out) is satisfied that it is reasonably established—
 - (i) that the patient is unlikely to become pregnant as a result of a procedure other than a procedure to which this section applies; or
 - (ii) that if the patient were to become pregnant as a result of the fertilization of an ovum produced by her by semen produced by her husband an undesirable hereditary disorder may be transmitted to a child born as a result of the pregnancy; and
- (e) the medical practitioner by whom the procedure is to be carried out is satisfied—
 - (i) that the patient and her husband have received counselling, including counselling in relation to prescribed matters, from an approved counsellor; and
 - (ii) that an approved counsellor will be available to give further counsel to the patient and her husband after the procedure is carried out.

(4) Where a consent is given under sub-section (3) (b)—

- (a) the document in which the consent is given shall be kept by the hospital in which the procedure to which this section applies is carried out;
- (b) a copy shall be given to the patient; and
- (c) a copy shall be given to the husband of the patient.

(5) A person shall not use ovum or semen provided by any person (in this section called "the donor") for the purposes of a procedure to which this section applies unless—

- (a) the donor has consented in writing to the use of the ovum or semen in such a procedure and has not withdrawn that consent;
- (b) where there is a spouse of the donor, the spouse has consented in writing to the use of the ovum or semen in such a procedure and has not withdrawn that consent; and

- (c) the donor and the spouse (if any) of the donor have received counselling from an approved counsellor.

Penalty: 25 penalty units or imprisonment for one year.

(6) A person who gives an ovum or semen that is or may be used in a procedure to which this section applies shall not receive, and another person shall not make or give, any payment or other amount for or in respect of the giving of the ovum or semen other than—

- (a) an amount, not exceeding an amount calculated at a prescribed rate, in respect of expenses incurred by that person in travelling to and attending at the place at which the ovum or semen is given; or
- (b) an amount in reimbursement of medical expenses incurred by that person in connection with the giving of the ovum or semen.

Penalty applying to this sub-section: 25 penalty units or imprisonment for one year.”.

6. Clause 4, page 3, line 23, after “3” insert “(1)”.
7. Clause 4, page 3, line 32, omit “or 13” and insert “, 13 or 13A”.
8. Clause 4, page 3, lines 34 and 35, omit paragraph (c) and insert—
‘ () In section 3 (1), in the definition of “Relevant procedure” for “10, 11, 12 or 13” substitute “9A, 10, 11, 12, 13 or 13A”;
9. Clause 4, page 3, after line 39, insert—
“ () In section 4, for “10, 11, 12 or 13” substitute “9A, 10, 11, 12, 13 or 13A”;
10. Clause 4, page 3, line 40, omit paragraph (e) and insert—
‘ () In section 7 (2), for “10, 11, 12 or 13” substitute “9A, 10, 11, 12, 13 or 13A”.
11. Clause 4, page 3, after line 40 insert—
‘ () In section 19 (3) for “Health Commission” substitute “Chief General Manager”;
() In section 23 (1) for “Chief General Manger” substitute “Department of Health”;
12. Clause 4, page 4, after line 7 insert—
‘(6) In section 34 of the Principal Act, for “Health Commission” substitute “Chief General Manager of the Department of Health”.’.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

41 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly—

Acquainting the Council that they have agreed to the following Bills without amendment:

- Health (Children’s Services) Bill
- Property Law (Amendment) Bill
- Legal Profession Practice (Professional Indemnity) Bill
- Health (Amendment) Bill
- Sisters of Mercy (Wodonga Land) Bill
- Fisheries (Abalone) Bill

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

- Road Safety (Amendment) Bill
- Metropolitan Fire Brigades Superannuation (Amendment) Bill
- Accident Compensation (Amendment) Bill
- Lotteries Gaming and Betting (Amendment) Bill.

- 42 **WORKCARE COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Order of the Council of 30 October 1987 for the establishment of a Select Committee of the Council on WorkCare be discharged.

Question—put and resolved in the affirmative.

- 43 **ADJOURNMENT**—The Honourable Evan Walker 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 Honourable Member by telegram or letter.

Question—put and resolved in the affirmative.

And then the Council, at 3.26 a.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (*from Assembly—Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 2 MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 3 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 4 PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 5 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 6 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Lyster).*
- 7 CRIMES (COMPUTERS) BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the

Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.

- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that

the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

11 THE HON. HADDON STOREY—To move—

- (a) That a Select Committee of five members be appointed to enquire into and report upon all aspects of The Constitution Act Amendment (Electoral Reform) Bill and the circumstances surrounding the holding and conduct of the Nunawading re-election on 17 August 1985 and the subsequent enquiries and explanations in relation to matters arising therefrom.
- (b) That the Committee shall consist of the Hon. A. J. Hunt, the Hon. M. A. Birrell, the Hon. W. R. Baxter and two other members who shall be appointed by lodgement of the names with the President at any time by the Leader of the Government.
- (c) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (d) That the Committee shall elect a Deputy Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (e) That three members of the Committee shall constitute a quorum.
- (f) That a member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (g) That the Committee may sit at such times and at such places as seems most convenient for the proper and speedy despatch of business.
- (h) That the Committee may send for persons, papers and records.
- (i) That the Committee may sit in public or in private as thought appropriate from time to time.
- (j) That the Committee may ask for explanations and receive evidence from:
 - (i) Ministers who are Members of the Legislative Council;
 - (ii) With the leave of the Legislative Assembly, Ministers who are Members of the Legislative Assembly; and
 - (iii) Public Servants and other relevant officers.
- (k) That the Committee may authorise the publication of any evidence taken by it in public and any documents presented to it.
- (l) That as soon as practicable after the completion of each day's proceedings, a transcript of the evidence taken in public by the Committee shall be published.
- (m) That reports of the Committee may be presented to the Council from time to time.
- (n) That the presentation of a report or an interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (o) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).

- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 CONSUMER AFFAIRS MINISTRY REPORT, 1986-87—To be considered.
- 20 ETHNIC AFFAIRS COMMISSION REPORT, 1986-87—To be considered.
- 21 INDUSTRY, TECHNOLOGY AND RESOURCES DEPARTMENT REPORT, 1986-87—To be considered.
- 22 WATER RESOURCES DEPARTMENT REPORT, 1986-87—To be considered.
- 23 SUPREME COURT JUDGES' REPORT, 1986 AND RELATED MINISTERIAL STATEMENT—To be considered.
- 24 LEO CUSSEN INSTITUTE REPORT, 1986—To be considered.
- 25 AGRICULTURE AND RURAL AFFAIRS DEPARTMENT REPORT, 1986-87—To be considered.
- 26 CHIROPRACTORS AND OSTEOPATHS REGISTRATION BOARD REPORT, 1986—To be considered.
- 27 COMMUNITY SERVICES DEPARTMENT REPORT, 1986-87—To be considered.
- 28 DAIRY INDUSTRY AUTHORITY REPORT, 1986-87—To be considered.
- 29 EDUCATION ACT 1958—MINISTER'S CERTIFICATE OF 21 OCTOBER 1987 REGARDING RESUMPTION OF LAND AT NARRE WARREN—To be considered.
- 30 EGG MARKETING BOARD REPORT, 1986-87—To be considered.
- 31 GAS AND FUEL CORPORATION REPORT, 1986-87—To be considered.
- 32 GRANTS COMMISSION REPORT, 1986-87—To be considered.
- 33 LEGAL AID COMMISSION REPORT, 1986-87—To be considered.
- 34 LOCAL GOVERNMENT DEPARTMENT REPORT, 1986-87—To be considered.
- 35 PUBLIC AUTHORITIES FINANCE AGENCY REPORT, 1986-87—To be considered.
- 36 PUBLIC TRUSTEE REPORT, 1986-87—To be considered.
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- 38 TEACHING SERVICE CONCILIATION AND ARBITRATION COMMISSION REPORT, 1986-87—To be considered.
- 39 TRANSPORT BORROWING AGENCY ACCOUNTS, PERIOD ENDED 11 JANUARY 1987—To be considered.
- 40 CRIME VICTIMS' SUPPORT SERVICES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 41 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY—CONSULTATIVE COUNCIL'S REPORT, 1985—To be considered.
- 42 ALPINE RESORTS COMMISSION REPORT, 1985-86—To be considered.
- 43 CRIMES COMPENSATION TRIBUNAL REPORT, 1986-87—To be considered.
- 44 DENTAL BOARD REPORT, 1985-86—To be considered.
- 45 EDUCATION MINISTRY REPORT, 1986-87—To be considered.
- 46 GEELONG REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- 47 LATROBE REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- 48 MEDICAL BOARD REPORT, 1985-86—To be considered.

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- 49 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1986-87—
To be considered.
 - 50 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1986—To be considered.
 - 51 PRISON INDUSTRIES COMMISSION REPORT, 1986-87—To be considered.
 - 52 PROPERTY AND SERVICES DEPARTMENT REPORT, 1986-87—To be considered.
 - 53 ARTS COUNCIL REPORT, 1986-87—To be considered.
 - 54 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1986-87—
To be considered.
 - 55 ESTATE AGENTS BOARD REPORT, 1986-87—To be considered.
 - 56 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1986-87—To be
considered.
 - 57 INDUSTRIAL TRAINING COMMISSION REPORT, 1986-87—To be considered.
 - 58 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1986-87—To be considered.
 - 59 NURSING COUNCIL REPORT, 1986-87—To be considered.
 - 60 PUBLIC ADVOCATE REPORT, 1986-87—To be considered.
 - 61 PUBLIC SERVICE BOARD REPORT, 1986-87—To be considered.
 - 62 PUBLIC WORKS DEPARTMENT REPORT, 1986-87—To be considered.
 - 63 RADIATION ADVISORY COMMITTEE REPORT, 1986-87—To be considered.
 - 64 RURAL FINANCE COMMISSION REPORT, 1986-87—To be considered.
 - 65 URBAN LAND AUTHORITY REPORT, 1986-87—To be considered.
 - 66 ZOOLOGICAL BOARD REPORT, 1986-87—To be considered.
 - *67 PORTLAND SMELTER PROJECT UNIT TRUST FINANCIAL STATEMENTS,
1986-87, AND TREASURER'S STATEMENT—To be considered.
 - *68 VICTORIAN TAXATION SUMMARY—To be considered.
 - *69 ACCIDENT REHABILITATION COUNCIL—MINISTER'S REPORT OF 11
NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY
30 SEPTEMBER—To be considered.
 - *70 ACCIDENT REHABILITATION COUNCIL REPORT, 1986-87—To be considered.
 - *71 CORRECTIONS OFFICE REPORT, 1986-87—To be considered.
 - *72 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1986-87—To be
considered.
 - *73 ECONOMIC DEVELOPMENT CORPORATION DETERMINATION OF
QUANTITATIVE TARGETS, 1987-88—To be considered.
 - *74 EQUAL OPPORTUNITY COMMISSIONER AND EQUAL OPPORTUNITY BOARD
REPORT, 1986-87—To be considered.
 - *75 EXHIBITION TRUSTEES REPORT, 1985-86—To be considered.
 - *76 HEALTH DEPARTMENT REPORT, 1986-87—To be considered.
 - *77 HISTORIC BUILDINGS COUNCIL REPORT, 1986-87—To be considered.
 - *78 LAW REFORM COMMISSION REPORT, 1986-87—To be considered.
 - *79 TORRENS REGISTER BOOK—LAW REFORM COMMISSION'S REPORT—To be
considered.
 - *80 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1986-87—To be
considered.

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- *81 STATE INSURANCE OFFICE—TREASURER'S REPORT OF 10 NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER—To be considered.
 - *82 STATE INSURANCE OFFICE REPORT, 1986-87—To be considered.
 - *83 ZOOLOGICAL BOARD REPORTS, 1982-83, 1983-84 and 1984-85—To be considered.
 - *84 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1986-87—To be considered.
 - *85 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1986-87—To be considered.
 - *86 RURAL WATER COMMISSION REPORT, 1986-87—To be considered.
 - *87 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.

R. K. EVANS

Clerk of the Legislative Council

R. A. MACKENZIE

President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, R. Macey and M. J. Sandon.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, J. L. Dixon and R. I. Knowles.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

***WORKCARE (JOINT)**—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

*1 THE HON. B. A. CHAMBERLAIN—To move, That, pursuant to section 49 (1A) of the *Firearms Act* 1958, the Firearms (Prohibited Weapons) Regulations 1987 (S.R. No. 374/1987) be disallowed. [*Notice given 8 March 1988; 11 sitting days remain for resolving***]

*2 THE HON. HADDON STOREY—To move, That Regulations 2 and 5 of the Freedom of Information (Exempt Offices) Regulations 1987 (S.R. 266/1987) and the Public Service (Unauthorised Disclosure) Regulations 1987 (S.R. 275/1987) be disallowed. [*Notice given 8 March 1988; 11 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GENERAL BUSINESS

NOTICES OF MOTION

1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.

2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.

5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.

* Indicates new entry.

- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the

direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

†11 THE HON. HADDON STOREY—To move—

- (a) That a Select Committee of five members be appointed to enquire into and report upon all aspects of The Constitution Act Amendment (Electoral Reform) Bill and the circumstances surrounding the holding and conduct of the Nunawading re-election on 17 August 1985 and the subsequent enquiries and explanations in relation to matters arising therefrom.
- (b) That the Committee shall consist of the Honourables A. J. Hunt, M. A. Birrell, B. P. Dunn and two other Members who shall be appointed by lodgement of the names with the President within 7 days by the Leader of the Government and in default of such lodgement then by lodgement of two names with the President by the Leader of the Opposition at any time thereafter.
- (c) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (d) That the Committee shall elect a Deputy Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (e) That three members of the Committee shall constitute a quorum.
- (f) That a member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (g) That the Committee may sit at such times and at such places as seems most convenient for the proper and speedy despatch of business.
- (h) That the Committee may send for persons, papers and records.
- (i) That the Committee may sit in public or in private as thought appropriate from time to time.
- (j) That the Committee may ask for explanations and receive evidence from:
 - (i) Ministers and Members of the Legislative Council;
 - (ii) With the leave of the Legislative Assembly, Ministers and Members of the Legislative Assembly; and
 - (iii) Public Servants and other relevant officers.
- (k) That the Committee may authorise the publication of any evidence taken by it in public and any documents presented to it.
- (l) That as soon as practicable after the completion of each day's proceedings, a transcript of the evidence taken in public by the Committee shall be published.
- (m) That reports of the Committee may be presented to the Council from time to time.
- (n) That the presentation of a report or an interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (o) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council,

shall have effect notwithstanding anything contained in the Standing Orders.

- *12 THE HON. D. M. EVANS—To move, That this House endorses the Government's call for expressions of interest in the establishment of a pulp mill in East Gippsland, but recognises the deficiencies in balancing resource availability to meet the objectives of the Government's own Timber Industry Strategy and the legitimate needs of the people of East Gippsland, and states that it will not agree to the establishment of any further extensive areas of public land in East Gippsland as National or other parks until an assessment has been made of the forest areas needed to meet requirements, and to allow a regeneration programme to maintain and expand forest areas.
- *13 THE HON. B. A. CHAMBERLAIN—To move, That this House is of opinion that the following Regulation should replace Statutory Rule No. 374 of 1987:
 "For paragraph (a) in Regulation 24 of the Firearms Regulations 1984 substitute—
 '(a) a firearm which—
 (i) is not a pistol;
 (ii) is a centre fire rifle;
 (iii) is semi-automatic;
 (iv) has a bulk reloading capacity of 8 or more rounds of ammunition;
 and
 (v) is in the opinion of the Registrar of Firearms of a kind requiring the exercise of special precautions.
 (aa) a firearm which is a centre-fire semi-automatic rifle which incorporates a pistol grip in its design or configuration at the time of manufacture, or which is subsequently fitted.
 (ab) a firearm which is a semi-automatic rifle fitted with a folding stock.'"
- *14 THE HON. R. M. HALLAM—To move, That this House registers its grave concern at the impact of the new formula for distribution of revenue assistance grants to local government, and calls upon the Government to seek an amendment to the formula, and its interpretation, with the specific objective of alleviating the plight of rural municipalities.
- *15 THE HON. A. J. HUNT—To move, That this House acknowledges the widespread and increasing community concern about the growing problem of algal bloom in the Gippsland Lakes and calls upon the Government to immediately set up a Committee with suitable scientific qualifications to assess—
 (a) the present and probable effects of the bloom upon the Lakes and their ecology and its implications for all sections of the community;
 (b) all the available information as to the cause of the algal bloom;
 (c) the effect of the Thomson Dam on algal bloom;
 (d) whether the release of further water would remove the bloom;
 (e) what other steps could be taken to halt and remove the bloom and to eliminate or mitigate its adverse effects and implications; and
 (f) the steps necessary to ensure a properly co-ordinated approach to the resolution of the problem—

and requests that the report of such Committee be presented to Parliament as soon as is practicable.

- *16 **THE HON. K. I. M. WRIGHT**—To move, That this House condemns the Government for its failure to fund, administer and co-ordinate a programme to monitor and control mosquito breeding sites and to take measures to protect the community from the potential of disease and nuisance caused by mosquitoes.
- *17 **THE HON. K. I. M. WRIGHT**—To move, That this House condemns the Minister for Health for granting the 4 per cent second tier productivity wage increase to hospital employees without first negotiating the productivity savings with the relevant unions, and deplores the subsequent decision to deduct the 4 per cent from payments to hospitals, thereby reducing their efficiency and placing lives at risk.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
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- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
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- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
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- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).

- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—Resumption of debate. (Hon. N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).
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- 36 CRIME VICTIMS' SUPPORT SERVICES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 37 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY—CONSULTATIVE COUNCIL'S REPORT, 1985—To be considered.
- 38 ALPINE RESORTS COMMISSION REPORT, 1985-86—To be considered.
- 39 CRIMES COMPENSATION TRIBUNAL REPORT, 1986-87—To be considered.
- 40 DENTAL BOARD REPORT, 1985-86—To be considered.
- 41 EDUCATION MINISTRY REPORT, 1986-87—To be considered.

- 42 GEELONG REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- 43 LATROBE REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- 44 MEDICAL BOARD REPORT, 1985-86—To be considered.
- 45 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1986-87—
To be considered.
- 46 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1986—To be considered.
- 47 PRISON INDUSTRIES COMMISSION REPORT, 1986-87—To be considered.
- 48 PROPERTY AND SERVICES DEPARTMENT REPORT, 1986-87—To be considered.
- 49 ARTS COUNCIL REPORT, 1986-87—To be considered.
- 50 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1986-87—
To be considered.
- 51 ESTATE AGENTS BOARD REPORT, 1986-87—To be considered.
- 52 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1986-87—To be
considered.
- 53 INDUSTRIAL TRAINING COMMISSION REPORT, 1986-87—To be considered.
- 54 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1986-87—To be considered.
- 55 NURSING COUNCIL REPORT, 1986-87—To be considered.
- 56 PUBLIC ADVOCATE REPORT, 1986-87—To be considered.
- 57 PUBLIC SERVICE BOARD REPORT, 1986-87—To be considered.
- 58 PUBLIC WORKS DEPARTMENT REPORT, 1986-87—To be considered.
- 59 RADIATION ADVISORY COMMITTEE REPORT, 1986-87—To be considered.
- 60 RURAL FINANCE COMMISSION REPORT, 1986-87—To be considered.
- 61 URBAN LAND AUTHORITY REPORT, 1986-87—To be considered.
- 62 ZOOLOGICAL BOARD REPORT, 1986-87—To be considered.
- 63 PORTLAND SMELTER PROJECT UNIT TRUST FINANCIAL STATEMENTS,
1986-87, AND TREASURER'S STATEMENT—To be considered.
- 64 VICTORIAN TAXATION SUMMARY—To be considered.
- 65 ACCIDENT REHABILITATION COUNCIL—MINISTER'S REPORT OF 11
NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY
30 SEPTEMBER—To be considered.
- 66 ACCIDENT REHABILITATION COUNCIL REPORT, 1986-87—To be considered.
- 67 CORRECTIONS OFFICE REPORT, 1986-87—To be considered.
- 68 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1986-87—To be
considered.
- 69 ECONOMIC DEVELOPMENT CORPORATION DETERMINATION OF
QUANTITATIVE TARGETS, 1987-88—To be considered.
- 70 EQUAL OPPORTUNITY COMMISSIONER AND EQUAL OPPORTUNITY BOARD
REPORT, 1986-87—To be considered.
- 71 EXHIBITION TRUSTEES REPORT, 1985-86—To be considered.
- 72 HEALTH DEPARTMENT REPORT, 1986-87—To be considered.
- 73 HISTORIC BUILDINGS COUNCIL REPORT, 1986-87—To be considered.
- 74 LAW REFORM COMMISSION REPORT, 1986-87—To be considered.

- 75 TORRENS REGISTER BOOK—LAW REFORM COMMISSION'S REPORT—To be considered.
- 76 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1986-87—To be considered.
- 77 STATE INSURANCE OFFICE—TREASURER'S REPORT OF 10 NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER—To be considered.
- 78 STATE INSURANCE OFFICE REPORT, 1986-87—To be considered.
- 79 ZOOLOGICAL BOARD REPORTS, 1982-83, 1983-84 and 1984-85—To be considered.
- 80 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1986-87—To be considered.
- 81 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1986-87—To be considered.
- 82 RURAL WATER COMMISSION REPORT, 1986-87—To be considered.
- 83 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.
- *84 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S ELEVENTH REPORT (S.A.'s 266 and 275/1987)—To be considered.
- *85 ADULT PAROLE BOARD REPORTS, 1982-83 TO 1986-87—To be considered.
- *86 ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- *87 BUILDING SOCIETIES COUNCIL REPORT, 1986-87—To be considered.
- *88 COAL MINE WORKERS' PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1986-87—To be considered.
- *89 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1986-87—To be considered.
- *90 COUNTRY FIRE AUTHORITY REPORT, 1986-87—To be considered.
- *91 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.
- *92 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, PERIOD ENDED 30 JUNE 1987—To be considered.
- *93 GEELONG AND DISTRICT WATER BOARD ACCOUNTS, 1986-87—To be considered.
- *94 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- *95 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1986-87—To be considered.
- *96 HOSPITALS SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- *97 LABOUR DEPARTMENT REPORT, 1986-87—To be considered.
- *98 LATROBE VALLEY—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—To be considered.
- *99 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1986—To be considered.
- *100 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1986-87—To be considered.
- *101 LAW FOUNDATION REPORT, 1986-87—To be considered.
- *102 LIBRARY COUNCIL REPORT, 1986-87—To be considered.

- *103 LIQUOR CONTROL COMMISSION REPORT, 1986-87—To be considered.
- *104 MELBOURNE AND METROPOLITAN BOARD OF WORKS PROVIDENT FUND REPORT, 1986-87—To be considered.
- *105 MELBOURNE AND METROPOLITAN BOARD OF WORKS SUPERANNUATION SCHEME REPORT, 1986-87—To be considered.
- *106 MELBOURNE UNIVERSITY COUNCIL REPORT, STATUTES AND REGULATIONS 1986—To be considered.
- *107 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1986-87—To be considered.
- *108 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1986-87—To be considered.
- *109 NATIONAL GALLERY COUNCIL REPORT, 1986-87—To be considered.
- *110 PATHOLOGY SERVICES ACCREDITATION BOARD REPORT, 1986-87—To be considered.
- *111 PATRIOTIC FUNDS COUNCIL REPORT, 1986—To be considered.
- *112 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1986-87—To be considered.
- *113 POST-SECONDARY EDUCATION COMMISSION REPORT, 1986-87—To be considered.
- *114 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- *115 STATE FILM CENTRE COUNCIL REPORT, 1986-87—To be considered.
- *116 TOURISM COMMISSION REPORT, 1986-87—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 EXHIBITION (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading.
- *2 VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading.
- 3 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 4 MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 5 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 CRIMES (COMPUTERS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*

- 8 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Lyster*).

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TUESDAY, 15 MARCH
GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 BUILDING CONTROL (GENERAL AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. A. J. Hunt*).
- *2 NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate.* (*Hon. Marie Tehan*).
- *3 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS**Nos. 40 and 41****No. 40—Tuesday, 8 March 1988**

- 1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at 3.00 p.m. as the time of meeting.
- 2 The President took the Chair and read the Prayer.
- 3 **THE LATE HONOURABLES DONALD PATRICK JOHN FERGUSON, SIR JOHN FREDERICK ROSSITER AND VALENTINE JOSEPH DOUBE**—The Honourable Evan Walker moved—
 - (a) That this House expresses its sincere sorrow at the death, on 6 December 1987, of the Honourable Donald Patrick John Ferguson, a former Member of this House, and places on record its acknowledgement of the services rendered by him to the Parliament and the people of Victoria as Member for the South Western Province from 1952 to 1958, Minister of Forests and Mines from 1954 to 1955 and Minister of Transport in 1955.
 - (b) That this House expresses its sincere sorrow at the death, on 18 January 1988, of the Honourable Sir John Frederick Rossiter and places on record its acknowledgement of the services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Brighton from 1955 to 1976, Assistant Minister of Education from 1964 to 1970, Minister of Immigration from 1965 to 1967, Minister of Labour and Industry from 1967 to 1970, Minister of Health from 1970 to 1973 and Chief Secretary from 1973 to 1976.
 - (c) That this House expresses its sincere sorrow at the death, on 18 January 1988, of the Honourable Valentine Joseph Doube and places on record its acknowledgement of the services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Oakleigh from 1950 to 1961 and Albert Park from 1970 to 1979 and as Minister of Health in 1955.

And other Honourable Members and the President having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

- 4 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourables Donald Patrick John Ferguson, Sir John Frederick Rossiter and Valentine Joseph Doube, the House do now adjourn until 8.00 p.m. this day.

Question—put and resolved in the affirmative.

And then the Council, at 3.58 p.m., adjourned until this day at 8.00 p.m.

1 The President took the Chair.

2 **ASSENT TO ACTS**—The Honourable Evan Walker 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:

On 17 November 1987—

Dairy Industry (Amendment) Act

On 24 November 1987—

Adoption (Amendment) Act

Agricultural Acts (Further Amendment) Act

Associations Incorporation and Business Names (Amendment) Act

Crimes (Amendment) Act

Fisheries (Abalone) Act

Health (Amendment) Act

Health (Children's Services) Act

Intellectually Disabled Persons' Services (Amendment) Act

Land (Amendment and Miscellaneous Matters) Act

Legal Profession Practice (Professional Indemnity) Act

Melbourne Lands Act

Road Safety (Amendment) Act

Shop Trading (Amendment) Act

Sisters of Mercy (Wodonga Land) Act

Tobacco Act

On 1 December 1987—

Abattoir and Meat Inspection (Arrangements) Act

Accident Compensation (Amendment) Act

Chiropractors and Osteopaths (Amendment) Act

Courts (Amendment) Act

Infertility (Medical Procedures) (Amendment) Act

La Trobe University (Amendment) Act

Lotteries Gaming and Betting (Amendment) Act

Metropolitan Fire Brigades Superannuation (Amendment) Act

Mines (Miscellaneous Amendments) Act

Property Law (Amendment) Act

Racing (Miscellaneous Amendments) Act

River Murray Waters (Amendment) Act

Teaching Service (Amendment) Act

Firearms (Amendment) Act

Geelong Market Site (Amendment) Act

Liquor Control Act

3 **WORKCARE (JOINT) COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting that they have concurred with the Council in resolving to appoint a Joint Select Committee to enquire into and report upon all aspects of the operation of Victorian Accident Compensation legislation and the WorkCare Scheme.

4 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly—

Acquainting the Council that they have agreed to the following Bills without amendment:

Intellectually Disabled Persons' Services (Amendment) Bill

Dairy Industry (Amendment) Bill

Associations Incorporation and Business Names (Amendment) Bill.

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Teaching Service (Amendment) Bill

La Trobe University (Amendment) Bill

River Murray Waters (Amendment) Bill

Land (Amendment and Miscellaneous Matters) Bill.

5 **FIREARMS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to an amendment made by the Council to an Assembly amendment, and to another amendment made and insisted on by the Council in this Bill.

6 **EXHIBITION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Exhibition Act 1957'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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.

7 **VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian Arts Centre Act 1979' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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 RELIEF COMMITTEE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Victorian Relief Committee Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

9 **NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'National Parks Act 1975' and the 'Wildlife Act 1975' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **BUILDING CONTROL (GENERAL AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Building Control Act 1981' and the 'Building Control (Amendment) Act 1986' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **WORKCARE (JOINT) COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting the Council that they had agreed to a Resolution extending the deadline to 22 March 1988 for reporting on the transitional proposals in clause 72 of the Accident Compensation (Amendment) Bill as introduced into the Assembly on 17 September 1987, and desiring the concurrence of the Council therein.

Ordered—That the Message be now taken into consideration.

The Honourable Evan Walker moved, That the Council concur with the Assembly and amend the Resolution adopted by the Council on 14 November 1987 appointing a WorkCare Committee and requiring it to report upon a review of the transitional proposals contained in clause 72 of the Accident Compensation (Amendment) Bill as introduced into the Assembly on 17 September 1987 regarding—

- contributions of Insurers towards compensation paid by the Accident Compensation Commission;
- conduct of common law proceedings; and
- supplementation payments from the Accident Compensation Fund—

by no later than 1 March 1988, so far as to now require the Committee to report on these matters by 22 March 1988.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

- 12 **SUSPENSION OF STANDING ORDERS—QUESTIONS**—The Honourable Evan Walker moved, by leave, That so much of the Standing Orders as require answers to Questions on Notice to be delivered verbally in the House be suspended for the sitting of the Council this day.

Question—put and resolved in the affirmative.

- 13 **CORRECTION OF BILL TITLES**—The Honourable Evan Walker moved, by leave, That where a Bill has passed through both Houses and any title of the Bill includes a reference to a calendar year earlier than that in which passage of a Bill was completed, the Clerk of the Parliaments be empowered to alter the calendar year reference in the Bill title and any corresponding reference within the Bill itself to accord with the year in which its passage was completed.

Question—put and resolved in the affirmative.

- 14 **SOCIAL DEVELOPMENT COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable R. I. Knowles be discharged from attendance upon the Social Development Committee, and that the Honourable R. S. de Fegely be added to that Committee.

Question—put and resolved in the affirmative.

- 15 **PUBLIC BODIES REVIEW COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable M. J. Sandon be discharged from attendance upon the Public Bodies Review Committee, and that the Honourable M. A. Lyster be added to that Committee.

Question—put and resolved in the affirmative.

- 16 **PETITION—SPORTING SHOOTERS' RIGHTS**—The Honourable N. B. Reid presented a Petition from certain citizens of Victoria praying that, in any reform of the firearms laws, the rights of the many thousands of law-abiding and genuine sporting shooters be recognized and protected.

Ordered to lie on the Table.

17 PAPERS—

CUSTODIAN'S REPORTS—B.L.F.—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Reports No. 1 dated 30 November 1987 and No. 2 dated 28 February 1988 given to Mr President, pursuant to section 7A of the *BLF (Derecognition) Act 1985*, by the Custodian appointed under section 7(1) of that Act.

Question—put and resolved in the affirmative.

The said Reports were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

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ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 55 to 57 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

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COAL MINERS' ACCIDENTS RELIEF BOARD—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Report of the Victorian Coal Miners' Accidents Relief Board for the year 1986–87.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

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LEGAL AND CONSTITUTIONAL COMMITTEE—SUBORDINATE LEGISLATION—The Honourable Haddon Storey presented the Eleventh Report from the Legal and Constitutional Committee upon Subordinate Legislation (S.R.'s 266 and 275/1987), together with Appendices, Extracts from the Proceedings of the Committee and Subcommittee and a Minority Report.

Ordered to lie on the Table and to be printed.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

PAPERS PURSUANT TO STATUTE—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 1982–83 to 1985–86; and 1986–87 (two papers).

Annual Reporting Act 1983—Treasurer's advice of exemptions granted to departments from the Annual Reporting (Administrative Units) Regulations 1985 and exemptions granted to public bodies from the Annual Reporting (Business Undertakings) Regulations 1984.

Arts Centre Trust—Report and statement of accounts for the year 1986–87.

Building Societies Council—Report and financial statements for the year 1986–87.

Coal Mine Workers' Pensions Tribunal (Victoria)—Statement of accounts for the year 1986–87.

Construction Industry Long Service Leave Board—Report for the year 1986–87.

- Country Fire Authority—Report for the year 1986–87.
- Economic Development Corporation—Report and statement of accounts for the year 1986–87.
- Emergency Services Superannuation Board—Report and financial statements for the period ended 30 June 1987.
- Geelong and District Water Board—Accounts and statements for the year 1986–87.
- Geelong Performing Arts Centre Trust—Report and accounts for the year 1986–87.
- Government Employee Housing Authority—Report and statement of accounts for the year 1986–87.
- Hospitals Superannuation Board—Report and financial statements for the year 1986–87.
- Labour Department—Report and financial statements for the year 1986–87.
- Land Conservation Council—Final recommendations to the Minister regarding the Latrobe Valley.
- La Trobe University—Report of the Council, together with statutes approved by the Governor in Council, for the year 1986 (ten papers).
- Latrobe Valley Water and Sewerage Board—Report and statement of accounts for the year 1986–87.
- Law Foundation—Report for the year 1986–87.
- Library Council—Report and statement of accounts for the year 1986–87.
- Liquor Control Commission—Report for the year 1986–87.
- Melbourne and Metropolitan Board of Works Provident Fund—Report and financial statements for the year 1986–87.
- Melbourne and Metropolitan Board of Works Superannuation Scheme—Report and financial statements for the year 1986–87.
- Melbourne University—Report of the Council, together with statutes and regulations allowed by His Excellency the Governor, for the year 1986 (ten papers).
- Metropolitan Transit Authority Superannuation Fund—Report and financial statements for the year 1986–87.
- National Companies and Securities Commission—Report and financial statements for the year 1986–87.
- National Gallery of Victoria Council—Report for the year 1986–87.
- Pathology Services Accreditation Board—Report for the year 1986–87.
- Patriotic Funds Council—Report and accounts for the year 1986.
- Planning and Environment Ministry—Report and financial statements for the year 1986–87.
- Police Service Board—
- Determinations Nos. 481 to 492.
 - Determinations Nos. 7 and 8 for Police Recruits.
 - Determination No. 1 for Protective Services Officers.
 - Determinations Nos. 7 and 8 for the Retired Police Reserve.
- Post-Secondary Education Commission—Report for the year 1986–87.
- Poultry Farmer Licensing Review Committee—Report for the year 1986–87.
- Prevention of Cruelty to Animals Act 1986—
- Code of Practice relating to the Welfare of Horses.

Guidelines for the First-Aid and Short-Term Care of Wild Animals and for the Killing and Emergency Euthanasia of Wild Animals, incorporated in the Code of Practice relating to the Use of Small Steel-jawed Traps.

Road Safety Act 1986—

Order in Council under section 3—“Motor Vehicles declared not to be Motor Vehicles” (*Gazette* S.15, 1 March 1988, Instrument 1).

Notice of Standards required for Registration of Motor Vehicles and Trailers made pursuant to section 10 (*Government Gazette* S.15, 1 March 1988, Instrument 2), together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Australian Design Rules for Motor Vehicle Safety (Second Edition)—1, 2, 3, 3A, 4, 4A, 4B, 4C, 4D, 5A, 5B, 6, 6A, 7, 8, 9, 10A, 10B, 11, 12, 14, 15, 16, 17, 18, 18A, 20, 21, 22, 22A, 23, 23A, 23B, 24, 24A, 25, 25A, 26, 27, 27A, 27B, 27C, 28, 28A, 29, 30, 31, 32, 32A, 33, 33A, 34, 34A, 35, 35A, 36, 36A, 37, 38, 39, 39A, 40 and 41.

Australian Design Rules for Motor Vehicles and Trailers (Third Edition)—1, 2, 3, 4, 5, 6, 7, 8, 10, 10/01, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 29, 30, 31, 33, 35, 36, 37, 38, 39, 41, 42, 43, 43/01, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58 and 60.

AUSTRALIAN STANDARDS

AS R1—1965 Safety Glass for Land Transport

AS R1—1968 Safety Glass for Land Transport

AS CC1 Part 1—1969 SAA Wiring Rules (as amended)

AS CB2—1960 SAA Crane and Hoist Code

AS CB4—1969 SAA Gas Cylinders Code (as amended)

AS D5—1965 Seven Pin Electrical Connectors for Vehicle-Trailer Jumper Cables

AS D8—1971 Hose Couplings for Use with Vacuum and Air Pressure Braking Systems on Prime Movers, Trailers and Semi-trailers

AS CB19—1963 Fire Precautions in Arc or Flame Cutting and Arc or Gas Welding Operations

AS CB20—1971 SAA LP Gas Code

AS CB22—1969 Code for Gas Cylinder Test Stations (as amended)

AS D26—1972 Tube Fittings with Dry Seal American Standard Taper Pipe and Unified Threads for Automotive and Industrial Use

AS D31—1973 New Pneumatic Passenger Car Tyres

AS E35 Part 1—1970 Seat Belt Assemblies for Motor Vehicles

AS E35 Part 2—1970 Seat Belt Assemblies (including Retractors) for Motor Vehicles

AS E38—1962 Portable Warning Signs for Motor Vehicles

AS Z38—1967 Sound Level Meters Type 2—Precision

AS E46—1970 Child Restraining Devices and Seat-restraining Devices, Accessory Type, in Passenger Cars

AS E47—1971 Webbing for Restraining Devices for Occupants of Motor Vehicles

AS A137—1968 Dry Chemical Type Portable Fire Extinguishers (as amended)

Road Safety Act 1986—*continued*

- AS 1110—1984 ISO Metric Hexagon Precision Bolts and Screws
- AS 1259—1982 Sound Level Meters
- AS 1425—1973 SAA Code for the Use of LP Gas in Internal Combustion Engines
- AS 1425—1979 SAA Code for the Use of LP Gas in Internal Combustion Engines
- AS 1425—1982 SAA Automotive LP Gas Code (as amended)
- AS 1432—1983 Copper Tubes for Water, Gas and Sanitation
- AS 1572—1974 Seamless Copper and Copper Alloy Tubes for General Engineering Purposes
- AS 1587—1973 Methods for Measurements of Textile Fabrics (as amended)
- AS 1596—1983 SAA LP Gas Code (as amended)
- AS 1674—1980 Fire Precautions in Cutting, Heating and Welding Operations
- AS 1698—1974 Protective Helmets for Vehicle Users
- AS 1698—1980 Protective Helmets for Vehicle Users
- AS 1742 Part 1—1975 Description and Use of Elemental Traffic Control Devices
- AS 1743—1975 Road Signs (as amended)
- AS 1744—1975 Standard Alphabets for Road Signs
- AS 1751—1975 Copper Brazed Steel Tubes
- AS 1753—1983 Webbing for Restraining Devices for Occupants of Motor Vehicles
- AS 1754—1975 Child Restraints for Passenger Cars and Derivatives (as amended)
- AS 1771 to 1773—1975 Fifth Wheel and Turntable Assemblies (as amended)
- AS 1771—1987 Installation of Fifth Wheel and Turntable Assemblies
- AS 1869—1983 Hose and Hose Assemblies for Liquefied Petroleum Gases (LPG), Natural Gas and Town Gas
- AS 1872—1976 Safety Chains for Trailers and Caravans
- AS 1906 Part 1—1976 Retroreflective Materials
- AS 1906 Part 2—1981 Retroreflective Devices (Non-pavement Application)
- AS 1906 Part 3—1982 Raised Pavement Markers (Retroreflective and Non-retroreflective)
- AS 1973—1976 Retreaded Pneumatic Passenger Car Tyres
- AS 1973—1985 Retreaded Pneumatic Passenger Car and Light Truck Tyres
- AS 2030—1977 SAA Gas Cylinders Code (as amended)
- AS 2080—1977 Safety Glass for Vehicles
- AS 2080—1983 Safety Glass for Land Vehicles
- AS 2142—1978 Reflectors for Pedal Bicycles
- AS 2174—1978 Fifth Wheels for Articulated Vehicles

Road Safety Act 1986—*Continued*

- AS 2175 Parts 1 and 2—1978 Fifth Wheel King Pins for Semi-trailers and Lowloaders
- AS 2213—1978 50 mm Pin Type Couplings for Trailers
- AS 2337—1980 Gas Cylinder Test Stations
- AS 2430—Classification of Hazardous Areas
Part 1—1982 Explosive Gas Atmospheres
Part 2—1981 Dusts (including Inherently Explosive Dusts)
- AS 2444—1985 Portable Fire Extinguishers—Selection and Location
- AS 2465—1981 Unified Hexagon Bolts, Screws and Nuts (Unc and Unf Threads)
- AS 2473—1981 Valves for Compressed Gas Cylinders (Threaded Outlet)
- AS 2513—1982 Electrical Connectors for Trailer Vehicles
- AS 2523—1982 Ambient Air-Determination of Sulphur Dioxide—Direct Reading, Instrumental Method
- AS 2596—1983 Seat Belt Assemblies for Motor Vehicles
- AS 2597—Methods of Testing Seat Belts (as amended)
- AS 2680—1984 Acoustics—Performance Requirements for Tape Recording Equipment for Use in Acoustical Measurement Systems
- AS 2942—1987 Wheel Chair Occupant Restraint Assemblies for Motor Vehicles
- AS 3001—1981 SAA Code for Electrical Installations of Caravans and Caravan Parks
- SAE STANDARDS
- J 186a Supplemental High Mounted Stop and Rear Turn Signal Lamps
- J 211a Instrumentation for Impact Tests
- J 285a Gasoline Dispenser Nozzle Spouts
- J 527 Brazed Double Wall Low Carbon Steel Tubing
- J 527b Brazed Double Wall Low Carbon Steel Tubing
- J 578c Colour Specification for Electric Signal Lighting Devices
- J 579c Sealed Beam Headlamp Units for Motor Vehicles
- J 584 Motor Cycle Headlamps
- J 594e Reflex Reflectors
- J 726 Air Cleaner Test Code
- J 826 Manikins for Use in Defining Vehicle Seating Accommodation
- J 839b Passenger Car Side Door Latch Systems
- J 840c Test Procedures for Brake Shoe and Lining Adhesives and Bonds
- J 850 Barrier Collision Tests
- J 866a Friction Identification System for Brake Linings and Brake Blocks for Motor Vehicles
- J 879 Passenger Car Front Seat and Seat Adjuster
- J 879b Motor Vehicle Seating Systems
- J 903a Passenger Car Windshield Wiper Systems
- J 921b Motor Vehicle Instrument Panel Laboratory Impact Test Procedure—Head Area

Road Safety Act 1986—*Continued*

- J 934, J 934a Vehicle Passenger Door Hinge Systems
- J 941 Motor Vehicle Driver's Eye Range
- J 941a Passenger Car Driver's Eye Range
- J 941e Motor Vehicle Driver's Eye Range
- J 944, J 944a Steering Wheel Assembly Laboratory Test Procedure
- J 944a Steering Control System—Passenger Car—Laboratory Test Procedure
- J 953 Passenger Car Back Light Defogging System
- J 964 Test Procedure for Determining Reflectivity of Rear View Mirrors
- J 985 Vision Factors Considerations in Rear View Mirror Design
- J 998 Minimum Requirements for Motor Vehicle Brake Linings
- J 1100a Motor Vehicle Dimensions
- J 1140 Filler Pipes and Openings of Motor Vehicle Fuel Tanks
- J 1401 Road Vehicle—Hydraulic Brake Hose Assemblies for use with Non-petroleum Base Hydraulic Fluids.

GOVERNMENT GAZETTE

- Extract from *Government Gazette* No. 76, 17 September 1986, page 3570, Exemptions from Fitting of Seat Belts.
- Extract from *Government Gazette* No. 80, 1 October 1986, page 3813, Exemptions from Fitting of Seat Belts.
- Extract from *Government Gazette* No. 86, 15 October 1986, pages 3966–8, Notice of Approval to Fit Rear Marking Plates.
- Extract from *Government Gazette* No. 107, 18 December 1968, page 4089, Exemptions from Fitting of Seat Belts.

BRITISH STANDARDS

- AS B 128—1963 Australian Standard Methods for the Verification of Testing Machines
- BS AU 141A—1971 Performance of Diesel Engines for Road Vehicles
- BS AU 178—1980 Road Vehicle Safety Glass
- AS B240—1966 Valve Fittings for Compressed Gas Cylinders (as amended)
- AS B281—1969 Safety Devices for Gas Cylinders
- BS 590—1949 Electrically Welded Mild Steel Chain
- BS 857—1967 Safety Glass for Land Transport
- BS 1580 Parts 1 and 2—1962 Unified Screw Threads
- BS 3463—1975 Observation and Gauge Glasses for Pressure Vessels
- BS 5282—1975 Road Vehicle Safety Glass

INTERNATIONAL STANDARDS

- ISO 2575 Symbols for Controls, Indicators and Tell-Tales
- ISO 3779 Vehicle Identification Number (VIN)—Content and Structure
- ISO 3780 World Manufacturer Identification (WMI) Code
- ISO 3996 Brake Hose Assemblies for Hydraulic Braking Systems used with a Non-petroleum Base Hydraulic Fluid

Road Safety Act 1986—*Continued*

ISO 4030 Vehicle Identification Number (VIN)—Location and Attachment

ISO 4513 Visibility—Method for Establishment for Eyellipses for Driver's Eye Location

AMERICAN NATIONAL STANDARDS

ANSI Z26. 1-1977 Safety Code for Glazing Materials for Glazing Motor Vehicles Operating on Land Highways (as amended)

D 86-67 Standard Method of Test for Distillation of Petroleum Products

D 86-82 Standard Method for Distillation of Petroleum Products

D 93-80 Standard Test Methods for Flash Point by Pensky-Martens Closed Tester

D 95-62 Standard Method of Test for Water in Petroleum and other Bituminous Materials

B 117-73 Standard Method of Salt Spray (Fog) Testing

D 129-64 Standard Method of Test for Sulphur in Petroleum Products by the Bomb Method

D 130-68 Standard Method for Detection of Copper Corrosion from Petroleum Products by the Copper Strip Tarnish Test

D 189-81 Standard Test Method for Conradson Carbon Residue of Petroleum Products

A 254-79 Standard Specification for Copper-Brazed Steel Tubing

D 287-82 Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method)

D 323-82 Standard Test Method for Vapour Pressure of Petroleum Products (Reid Method)

D 381-64 Standard Method of Test for Existent Gum in Fuels by Jet Evaporation

D 445-65 Standard Method of Test for Viscosity of Transparent and Opaque Liquids (Kinematic and Dynamic Viscosities)

D 482-63 Standard Method of Test for Ash from Petroleum Products

D 523-62T Tentative Method of Test for Specular Gloss

D 524-64 Standard Method of Test for Ramsbottom Carbon Residue of Petroleum Products

D 525-55 Standard Methods of Test for Oxidation Stability of Gasoline (Induction Period Method)

D 526-66 Standard Methods of Test for Lead in Gasoline, Gravimetric Method

D 571-55 Standard Methods of Testing Automotive Hydraulic Brake Hose

D 611-64 Standard Method of Test for Aniline Point and Mixed Aniline Point of Petroleum Products and Hydrocarbon Solvents

D 613-82 Standard Test Method for Ignition Quality of Diesel Fuels by the Cetane Method

D 622-65 Standard Methods of Testing Automotive Air Brake and Vacuum Brake Hose

D 908-67 Standard Method of Test for Knock Characteristics of Motor Fuels of 100 Octane Number and Below by the Research Method

Road Safety Act 1986—*Continued*

- D 974-64 Standard Method of Test for Neutralization Number by Color-Indicator Titration
- D 976-66 Standard Methods for Calculated Cetane Index of Distillate Fuels
- D 1266-80 Standard Test Method for Sulphur in Petroleum Products (Lamp Method)
- D 1298-67 Standard Method of Test for Density, Specific Gravity or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method
- D 1319-84 Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption
- D 1656-67 Standard Method of Test for Knock Characteristics of Motor Fuels above 100 Octane Number by the Research Method
- D 1774-79 Standard Test Methods for Elastic Properties of Textiles Fibres
- D 2551-80 Standard Test Method for Vapour Pressure of Petroleum Products (Micro Method)
- D 2622-82 Standard Test Method for Sulfur in Petroleum Products (X-ray Spectrographic Method)
- D 2699-80 Standard Test Method for Knock Characteristics of Motor Fuels by the Research Method
- D 2700-80 Standard Test Method for Knock Characteristics of Motor and Aviation Fuels by the Motor Method
- D 2785-80 Standard Test Method for Trace Quantities of Total Sulfur (Wickbold and Beckman Combustion Apparatus)
- D 3231-83 Standard Test Method for Phosphorous in Gasoline
- D 3237-79 Standard Test Method Lead in Gasoline by Atomic Absorption Spectrometry
- E 29-67 Recommended Practice for Indicating which places of figures are to be considered significant in specified limiting values
- FEDERAL MOTOR VEHICLE SAFETY STANDARDS**
- FMVSS 105-75 Hydraulic Brake Systems
- FMVSS 106-74 Brake Hoses
- FMVSS 121 Air Brake Systems—Trucks, Buses and Trailers
- FMVSS 123 Motor Cycle Controls and Displays
- FMVSS 202 Head Restraints—Passenger Cars
- FMVSS 203 Impact Protection for Driver from the Steering Control System—Passenger Cars
- FMVSS 204 Steering Control Rearward Displacement—Passenger Cars, Multipurpose Passenger Vehicles, Trucks and Buses
- FMVSS 209 Seat Belt Assemblies
- FMVSS 214 Side Door Strength
- JAPANESE STANDARDS**
- JIS R 3211-79 Safety Glasses for Road Vehicles
- JIS R 3212-85 Test Method for Safety Glass for Road Vehicles
- JIS D 4202-77 Dimension of Tyres for Automobiles

Road Safety Act 1986—*Continued*

JIS D 4202-82 Dimension of Tyres for Automobiles

JIS D 4218-81 Contours of Rims for Automobiles

JIS D 5500-84 Lighting and Signalling Equipment for Automobiles

AUSTRALIAN STANDARD

AS 1210-1982 SAA Unfired Pressure Vessels Code

Tyre and Rim Association Australia 1980 Standards Manual

Tyre and Rim Association Australia 1985 Standards Manual

ECE REGULATIONS

ECE 1 and 2 Headlamps

ECE 3 Reflecting Devices

ECE 5 Headlamps

ECE 8 Headlamps

ECE 11 Door Latches

ECE 12 Steering Mechanism

ECE 13 Braking

ECE 14 Safety Belt Anchorages (as amended)

ECE 16 Safety Belts (as amended)

ECE 17 Seats and Anchorages

ECE 21 Interior Fittings

ECE 24 Emission of Pollutants (as amended)

ECE 25 Head Restraints (as amended)

ECE 30 Pneumatic Tyres

ECE 31 Headlamps (as amended)

ECE 41 Motor Cycle Noise (as amended)

ECE 43 Safety Glazing Materials

ECE 46 Rear View Mirrors

ECE 48 Lighting and Signalling Devices

INTERNATIONAL ELECTROTECHNICAL COMMISSION

No. 179-1965 Precision Sound Level Meters

No. 651-1979 Sound Level Meters

AUSTRALIAN GOVERNMENT PUBLISHING SERVICE

Advisory Committee on Vehicle Performance—A Guide to Heavy
Vehicle Suspension Systems and Acceptable Axle Groups—1979

I.P.

IP 309/83 Cold Filter Plugging Point for Distillate Fuels

Statutory Instruments (*Gazette* S.15, 1 March 1988)

Approval under regulation 1205 (1) of the Road Safety (Traffic)
Regulations 1988—"Portable Warning Devices" (Instrument No. 3)

Approval under regulation 1206 (1) of the Road Safety (Traffic)
Regulations 1988—"Reflectors on Bicycles" (Instrument No. 4)

Approval under regulation 1207 of the Road Safety (Traffic) Regulations
1988—"Reflectors on Animal-drawn Vehicles" (Instrument No. 5)

Road Safety Act 1986—*Continued*

Approval under regulation 1501 of the Road Safety (Traffic) Regulations 1988—“Approved Child Restraints” (Instrument No. 6)

Approval under regulation 1503 (5) of the Road Safety (Traffic) Regulations 1988—and regulation 1004 of the Road Safety (Vehicles) Regulations 1988—“Protective Helmets for Motor Vehicle Users” (Instrument No. 7)

Approval under regulation 105 of the Road Safety (Vehicles) Regulations 1988—“Load Sharing Suspensions” (Instrument No. 8)

Approval under regulation 801 (1) of the Road Safety (Vehicles) Regulations 1988—“Approved Modifications” (Instrument No. 11)

Approval under regulation 821 of the Road Safety (Vehicles) Regulations 1988—“Number Plate Covers—Temporary Approval” (Instrument No. 12)

(Certain of the above Statutory Instruments refer to documents attached to the Notice of Standards required for Registration of Motor Vehicles and Trailers.)

Statutory Rule No. 28/1988, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Paragraph 41.155 of the Victoria Police Manual 1986

Commonwealth *National Measurement Act 1960*

Speed Camera IDMS—SAC/1 Manufactures Circuit Design

Digetector DG2 Series Manufactures Circuit Design

Kustom HR4, Kustom Falcon and Muni-Quip MDR1 Track Radar Manufactures Circuit Design

Guidelines for Weighing of Vehicles 1987—National Association of Australian State Road Authorities

Testing Specifications of Dynamic Axle Weigher

Victoria Police Speed Camera Detector Switch Approval

Statutory Rule No. 29/1988 together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

(a) Proposals for Magistrates' Courts Civil Procedure Rules 1987

Commonwealth *Interstate Road Transport Act 1985*

Commonwealth Interstate Road Transport Regulations 1986 (as amended)

Commonwealth *Veterans Entitlements Act 1986* (as amended)

Extract from the Commonwealth Repatriation Regulations—regulation 104

(b) Certain documents referred to in the Notice of Standards required for registration of Motor Vehicles and Trailers made pursuant to S.10 of the *Road Safety Act 1986* dated 1 March 1988 as listed and attached to the Notice. (Instrument No. 2)

(c) Statutory Instruments (*Gazette* S.15, 1 March 1988)—

Determination under regulation 628 of the Road Safety (Vehicles) Regulations 1988—“Exemption of Certain Vehicles from Certificates of Roadworthiness” (Instrument No. 9)

Road Safety Act 1986—*Continued*

Notice under regulation 724 of the Road Safety (Vehicles) Regulations 1988—“General Mass and Dimension Permits” (Instrument No. 10) together with the following Australian Standards:

AS 1744-1975 Standard Alphabets for Road Signs

AS 1742.1-1986 Manual of Uniform Traffic Control Devices—Part 1—General Introduction and Index of Signs

Notice under regulation 1101 of the Road Safety (Vehicles) Regulations 1988—“Prohibition on Sale of Certain Equipment” (Instrument No. 13) together with certain documents attached to the Notice of Standards required for Registration of Motor Vehicles and Trailers

Notice under regulation 715 of the Road Safety (Vehicles) Regulations 1988—“Height Limit on Certain Highways” (Instrument No. 14)

- (d) Instruments Nos. 7, 8, 11 and 12 previously tabled in Statutory Instruments under the *Road Safety Act 1986* (*Gazette* S.15, 1 March 1988)

Statutory Rule No. 30/1988, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

- (a) Certain documents referred to in the Notice of Standards required for registration of Motor Vehicles and Trailers made pursuant to S. 10 of the *Road Safety Act 1986* dated 1 March 1988 as listed and attached to the Notice.
- (b) Instruments Nos. 3, 4, 5, 6 and 7 referred to previously in Statutory Instruments under the *Road Safety Act 1986* (*Gazette* S.15, 1 March 1988).

State Film Centre Council—Report and statement of accounts for the year 1986-87.

Statutory Rules under the following Acts of Parliament:

Accident Compensation Act 1985—No. 392/1987; and No. 1/1988.

Administrative Appeals Tribunal Act 1984—Planning and Environment Act 1987—No. 27/1988.

Adoption Act 1984—Nos. 379 and 386/1987.

Architects Act 1958—No. 4/1988.

Associations Incorporation Act 1981—No. 345/1987.

Audit Act 1958—No. 376/1987.

Borrowing and Investment Powers Act 1987—Nos. 313 and 314/1987.

Building Control Act 1981—Nos. 300 and 311/1987.

Business Names Act 1962—No. 346/1987.

Cattle Compensation Act 1967—No. 341/1987.

Chattel Securities Act 1987—No. 357/1987.

Chiropractors and Osteopaths Act 1978—No. 363/1987.

Cluster Titles Act 1974—No. 354/1987.

Companies (Acquisition of Shares) (Application of Laws) Act 1981—No. 302/1987.

Construction Industry Long Service Leave Act 1983—No. 16/1988.

Co-operation Act 1981—No. 347/1987.

Statutory Rules—*continued*

Co-operative Housing Societies Act 1958—No. 348/1987.

Corrections Act 1986—No. 35/1988.

Country Fire Authority Act 1958—No. 375/1987.

County Court Act 1958—Nos. 381, 382 and 396/1987.

County Court Act 1958—Crimes Act 1958—Interpretation of Legislation Act 1984—No. 398/1987.

Credit (Administration) Act 1984—Nos. 26 and 51/1988.

Dairy Industry Act 1984—No. 42/1988.

Dandenong Valley Authority Act 1963—Nos. 317 and 358/1987.

Dangerous Goods Act 1985—

No. 369/1987, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Australian Code for the Transport of Dangerous Goods by Road and Rail (Commonwealth of Australia *Gazette* No. P. 15, 7 April 1987)

AS 1563—1974 General Purpose Freight Containers (International Sizes)

AS 1727—1975 Tank Containers (International Sizes)

AS 2430.1—1987 Classification of Hazardous Areas Part 1—Explosive Gas Atmospheres

AS 2809.1—1985 Road Tank Vehicles for Dangerous Goods Part 1—General Requirements.

AS 2809.2—1985 Road Tank Vehicles for Dangerous Goods Part 2—Tankers for Inflammable Liquids

AS 2809.3—1985 Road Tank Vehicles for Dangerous Goods Part 3—Tankers for Compressed Liquefiable Gases

AS 1210—1982 SAA Unfired Pressure Vessels Code (as amended) Hazardous Materials Regulations of the Department of Transportation, Hazardous Materials Systems (BOE) Association of American Railroads, Washington DC, USA

No. 370/1987, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

AS 1727—1975 Tank Containers (International Sizes)

AS 1942—1984 Refrigerant Gas Cylinder Identification

AS 1943—1984 Industrial Gas Cylinder Identification

AS 1944—1984 Medical Gas Cylinder Identification

AS 2030.1—1985 The Approval, Filling, Inspection, Testing and Maintenance of Cylinders for the Storage and Transport of Compressed Gases Part 1—Cylinders for Compressed Gases other than Acetylene

AS 2030.4—1985 The Approval, Filling, Inspection, Testing and Maintenance of Cylinders for the Storage and Transport of Compressed Gases Part 4—Welded Cylinders—Insulated

SAA Miscellaneous Publication MP48—1984 Approved Gas Cylinder Test Stations

Dental Technicians Act 1972—Nos. 298 and 338/1987.

Statutory Rules—*continued*

- Dentists Act 1972—No. 360/1987.
- Dried Fruits Act 1958—No. 8/1988.
- Drugs, Poisons and Controlled Substances Act 1981—Nos. 297 and 366/1987; and No. 33/1988.
- Education Act 1958—Nos. 31 and 40/1988.
- Emergency Services Superannuation Act 1986—Nos. 393 and 395/1987.
- Environment Protection Act 1970—No. 293/1987, together with a copy of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:
- AS 2221, Part 1 1979—Engineering Method for Measurement of Airborne Sound Emitted by Compressor/Primemover Units Intended for Outdoor Use
 - AS 2221, Part 2 1979—Engineering Method for Measurement of Airborne Sound Emitted by Pneumatic Tools and Machines.
 - AS 1259—1982 Sound Level Meters
 - AS 1861—1981 Refrigerated Room Air Conditioners
 - Australian Environment Council Technical Basis for the Regulation of Noise Labelling of New Air Conditioners in Australia
- No. 399/1987; and Nos. 36 to 38/1988.
- Evidence Act 1958—No. 383/1987; and No. 48/1988.
- Extractive Industries Act 1966—No. 402/1987.
- Finance Brokers Act 1969—No. 50/1988.
- Firearms Act 1958—No. 374/1987; and No. 3/1988.
- Fisheries Act 1968—Nos. 320 and 335/1987.
- Food Act 1984—Nos. 306 and 308/1987; and No. 32/1988.
- Forests Act 1958—No. 388/1987.
- Futures Industry (Application of Laws) Act 1986—No. 303/1987.
- Groundwater Act 1969—No. 405/1987.
- Health Act 1958—Nos. 309, 323 to 328, 361, 362, 364 and 372/1987; and No. 19/1988.
- Historic Buildings Act 1981—No. 41/1988.
- Hospitals and Charities Act 1958—Nos. 295 and 329/1987; and No. 34/1988.
- Hospitals Superannuation Act 1965—No. 337/1987.
- Industrial Training Act 1975—No. 373/1987.
- Inflammable Liquids Act 1966—No. 367/1987.
- Instruments Act 1958—No. 353/1987.
- Intellectually Disabled Persons' Services Act 1986—No. 385/1987.
- Land Act 1958—No. 371/1987.
- Land Acquisition and Compensation Act 1986—No. 287/1987.
- Land Tax Act 1958—No. 377/1987.
- Latrobe Valley Act 1958—No. 39/1988, together with a copy of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.
- Liquefied Gases Act 1968—No. 368/1987.

Statutory Rules—*continued*

- Liquor Control Act 1968—No. 400/1987.
 Local Government Act 1958—No. 339/1987.
 Lotteries Gaming and Betting Act 1966—Nos. 389 and 390/1987.
 Magistrates' Courts Act 1971—Nos. 340 and 384/1987.
 Marine Act 1958—Nos. 9 to 14/1988.
 Medical Practitioners Act 1970—No. 25/1988.
 Melbourne and Metropolitan Board of Works Act 1958—Nos. 231 and 319/1987.
 Mildura Irrigation Trusts and Sunraysia Water Board Act 1958—No. 316/1987.
 Mines Act 1958—Nos. 304, 331 and 401/1987.
 Mining Development Act 1958—No. 406/1987.
 Motor Car Traders Act 1986—No. 49/1988.
 National Parks Act 1975—Nos. 305 and 318/1987.
 Nurses Act 1958—Nos. 296, 307 and 330/1987.
 Occupational Health and Safety Act 1985—No. 378/1987.
 Pay-roll Tax Act 1971—No. 315/1987.
 Petroleum Act 1958—No. 403/1987.
 Physiotherapists Act 1978—No. 359/1987.
 Pipelines Act 1967—No. 404/1987.
 Planning and Environment Act 1987—Nos. 20 and 24/1988.
 Post-Secondary Education Act 1978—No. 18/1988.
 Poultry Processing Act 1968—No. 43/1988.
 Printers and Newspapers Act 1958—No. 343/1987.
 Private Agents Act 1966—No. 310/1987.
 Property Law Act 1958—No. 351/1987.
 Public Service Act 1974—PSD Nos. 50 to 66/1987; and PSD Nos. 1 to 3/1988.
 Racing Act 1958—Nos. 333 and 391/1987.
 Registration of Births Deaths and Marriages Act 1959—No. 312/1987.
 Religious Successory and Charitable Trusts Act 1958—No. 344/1987.
 Road Safety Act 1986—Nos. 355 and 356/1987; and No. 56/1988.
 [And see pages 234 and 235 for Statutory Rules Nos. 28 to 30/1988 under "*Road Safety Act 1986*" in general alphabetical sequence.]
 Shop Trading Act 1987—No. 332/1987.
 State Electricity Commission Act 1958—No. 397/1987, together with a copy of the Code of Practice for Tree Clearing which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.
 State Trust Corporation of Victoria Act 1987—No. 2/1988.
 Stock Diseases Act 1968—No. 44/1988.
 Stock Foods Act 1958—No. 45/1988.
 Stock Medicines Act 1958—No. 46/1988.
 Strata Titles Act 1968—No. 352/1987.

Statutory Rules—*continued*

Supreme Court Act 1986—

No. 334/1987;

No. 380/1987, together with copies of Determination 7.1 and Table 6 of Appendix E of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table;

No. 15/1988;

No. 17/1988, together with a copy of section 196A of the Commonwealth *Income Tax Assessment Act 1936-1973* which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

Swine Compensation Act 1967—No. 342/1987.

Tattersall Consultations Act 1958—No. 55/1988.

Tobacco Act 1987—Nos. 321, 322 and 365/1987.

Town and Country Planning Act 1961—No. 336/1987.

Transfer of Land Act 1958—Nos. 349 and 350/1987.

Transport Act 1983—Nos. 394/1987; and Nos. 21 to 23/1988.

Transport Accident Act 1986—No. 53/1988.

Travel Agents Act 1986—No. 5/1988.

Valuation of Land Act 1960—No. 299/1987.

Vegetation and Vine Diseases Act 1958—No. 47/1988.

Weights and Measures Act 1958—No. 6/1988, together with a copy of Schedules 31 and 32 of the Commonwealth National Measurement Regulations which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table.

Wildlife Act 1975—No. 387/1987.

Zoological Parks and Gardens Act 1967—No. 7/1988.

Tourism Commission—Report and statement of accounts for the year 1986-87.

Town and Country Planning Act 1961—

Alberton—Shire of Alberton (Coastal) Planning Scheme—Amendment No. 31, 1987.

Ararat—Shire of Ararat (Willaura) Planning Scheme—Amendment No. 5, 1987.

Bacchus Marsh Planning Scheme—Amendments No. 40, Part 1; and No. 43, Part 1.

Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 71.

Ballaarat—City of Ballaarat Planning Scheme—Amendments Nos. 94, 99 and 102.

Ballarat—Shire of Ballarat Planning Scheme 1987 (with maps).

Bass—Shire of Bass Planning Scheme—Amendment No. 41.

Beechworth—United Shire of Beechworth (Township of Beechworth) Planning Scheme—Amendment No. 5, 1985.

Benalla—City of Benalla Planning Scheme—Amendment No. 48.

Bright—Shire of Bright Planning Scheme 1983—Amendment No. 14.

Buninyong—Shire of Buninyong Planning Scheme 1987 (with maps).

Town and Country Planning Act 1961—*continued*

- Chiltern—Shire of Chiltern Planning Scheme 1982—Amendment No. 4, 1986.
- Deakin—Shire of Deakin Planning Scheme 1980—Amendment No. 5, 1986.
- Eaglehawk—Borough of Eaglehawk Planning Scheme—Amendment No. 8.
- Euroa—Shire of Euroa Planning Scheme 1984—Amendment No. 1.
- Flinders—Shire of Flinders Planning Scheme 1962—Amendments Nos. 217 and 218, 1987.
- Geelong Regional Planning Scheme—Amendments No. 157; No. 161, 1986; No. 175, 1987; No. 176, 1987; No. 183, 1987; No. 192, 1987; and No. 198, 1987.
- Gisborne Shire Planning Scheme—Amendments Nos. 23, 25, 26, 27 and 28, 1987.
- Grenville—Shire of Grenville Planning Scheme 1987 (with 15 maps).
- Hamilton—City of Hamilton Planning Scheme—Amendment No. 30.
- Hastings—Shire of Hastings Planning Scheme—Amendments Nos. 30A and 34A.
- Horsham—City of Horsham Planning Scheme 1982—Amendments Nos. 118 and 122, 1986.
- Korumburra—Shire of Korumburra Planning Scheme—Amendment No. 37, 1986.
- Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos. 179, 220 and 237.
- Melbourne Metropolitan Planning Scheme—Amendments No. 166, Part 2 (with maps); No. 363 (with 16 maps); No. 371 (with six maps); No. 379, Part 2 (with maps); No. 400; No. 428, Part 2 (with maps); No. 428, Part 3 (with maps); No. 430, Part 1 (with maps); No. 433, Part 1 (with maps); No. 463 (with map); No. 481 (with maps); No. 490 (with maps); No. 492 (with maps); No. 493 (with maps); No. 494 (with 3 maps); No. 505; No. 506; No. 507; No. 511 (with maps); No. 513; and No. 515.
- Moe—City of Moe Planning Scheme 1966—Amendments No. 97, 1986; No. 98, Part 1; No. 98, Part 2; and No. 100.
- Myrtleford—Shire of Myrtleford (Myrtleford Township) Planning Scheme—Amendment No. 17.
- Pakenham—Shire of Pakenham Planning Scheme Part 1—Amendments Nos. 51 and 57.
- Phillip Island Planning Scheme—Amendment No. 22A.
- Rosedale—Shire of Rosedale Planning Scheme Part 2—Amendment No. 22, 1986.
- Shepparton—
 City of Shepparton Planning Scheme—Amendment No. 118.
 Shire of Shepparton Planning Scheme 1983—Amendment No. 6, 1986.
- Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos. 72 and 84.
- Warragul Planning Scheme 1954—Amendment No. 55, 1986.
- Warrnambool—City of Warrnambool Planning Scheme—Amendments Nos. 22 and 24.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 24 February 1987.

Administrative Appeals Tribunal Act 1984—Section 80—18 November 1987—*(Gazette No. G.45, 18 November 1987)*.

Adoption Act 1984—Sections 3 (1), 3 (3) to 3 (7), 6 to 8, 65 to 67, 69 to 78, 80, 81, 105 to 111, 114 to 129, Parts II and III and the Schedule—16 November 1987 *(Gazette No. G.42, 28 October 1987)*.

Adoption (Amendment) Act 1986—16 November 1987 *(Gazette No. G.42, 28 October 1987)*.

Adoption (Amendment) Act 1987—Sections 1 to 7 and 9 to 13—22 December 1987 *(Gazette No. S.59, 22 December 1987)*.

Agricultural Acts (Amendment) Act 1987—Part 5—16 December 1987 *(Gazette No. G.49, 16 December 1987)*.

Agricultural Acts (Further Amendment) Act 1987—Sections 1 to 8, 10 to 12, 14 to 25, 27, 33, 35, 36 and 38—25 November 1987 *(Gazette No. G.46, 25 November 1987)*; Section 34—9 December 1987 *(Gazette No. G.48, 9 December 1987)*; Section 41—23 December 1987 *(Gazette No. G.50, 23 December 1987)*; Section 9—19 January 1988 *(Gazette No. S.5, 19 January 1988)*.

Borrowing and Investment Powers Act 1987—Parts 1 and 3 and Sections 24 and 26 (2)—14 October 1987 *(Gazette No. G.40, 14 October 1987)*; Remaining provisions 18 November 1987 *(Gazette No. G.45, 18 November 1987)*.

Building Control Act 1981—Section 17—1 January 1988 *(Gazette No. G.47, 2 December 1987)*.

Commonwealth Powers (Family Law—Children) Act 1986—28 October 1987 *(Gazette No. G.42, 28 October 1987)*.

Conservation, Forests and Lands Act 1987—Part 5—10 December 1987 *(Gazette No. G.48, 9 December 1987)*; Section 30—20 January 1988 *(Gazette No. G.3, 20 January 1988)*.

Courts (Amendment) Act 1986—Section 12—1 January 1988 *(Gazette No. G.39, 7 October 1987)*.

Courts (Amendment) Act 1987—Remaining provisions—13 January 1988 *(Gazette No. G.2, 13 January 1988)*.

Crimes (Amendment) Act 1987—Sections 1, 2, 3, 5, 6 and 7—6 December 1987 *(Gazette No. G.47, 2 December 1987)*.

Dairy Industry (Amendment) Act 1987—18 November 1987 *(Gazette No. G.45, 18 November 1987)*.

Equal Opportunity (Amendment) Act 1987—1 December 1987 *(Gazette No. G.41, 21 October 1987)*.

Fair Trading (Amendment) Act 1987—1 December 1987 *(Gazette No. G.45, 18 November 1987)*.

Firearms (Amendment) Act 1987—11 January 1988 *(Gazette No. S.2, 11 January 1988)*.

Health (Amendment) Act 1987—Sections 8 and 13—6 December 1987 *(Gazette No. G.47, 2 December 1987)*.

Intellectually Disabled Persons' Services Act 1986—Sections 45 to 50—24 November 1987 *(Gazette No. S.50, 24 November 1987)*.

Intellectually Disabled Persons' Services (Amendment) Act 1987—24 November 1987 *(Gazette No. S.50, 24 November 1987)*.

Proclamations—*continued*

- Lotteries Gaming and Betting (Amendment) Act 1987—30 December 1987 (*Gazette* No. G.49, 16 December 1987).
- National Mutual Royal Savings Bank Limited (Merger) Act 1987—1 December 1987 (*Gazette* No. G.46, 25 November 1987).
- National Parks (Amendment) Act 1986—Section 4 (5)—27 November 1987 (*Gazette* No. G.45, 18 November 1987).
- National Parks (Amendment) Act 1987—Section 4 (5)—24 November 1987 (*Gazette* No. G.45, 18 November 1987); Section 4 (7)—17 December 1987 (*Gazette* No. G.47, 2 December 1987); Sections 4 (9), 5 (1) and 5 (2)—17 December 1987 (*Gazette* No. G.49, 16 December 1987).
- National Parks (Further Amendment) Act 1984—Section 4 (2)—28 October 1987 (*Gazette* No. G.42, 28 October 1987).
- National Parks (Dandenong Ranges) Act 1987—13 December 1987 (*Gazette* No. S.54, 10 December 1987).
- Occupational Health and Safety Act 1985—Items 25 to 33, 35 and 37 of Schedule 2—1 January 1988 (*Gazette* No. G.51, 30 December 1987).
- Racing (Miscellaneous Amendments) Act 1986—Section 13 (v)—4 November 1987 (*Gazette* No. G.43, 4 November 1987).
- Racing (Miscellaneous Amendment) Act 1987—16 December 1987 (*Gazette* No. G.49, 16 December 1987).
- Residential Tenancies (Amendment) Act 1987—1 February 1988 (*Gazette* No. G.50, 23 December 1987).
- Road Safety Act 1986—Sections 34 to 46, 59 (1) (c) and (d), 59 (6), (7) and (8), 76 (1), 85 to 90, 98, 99, 103 (4) and (5), Item 12 of Schedule 3 and Items 20.2, 20.3, 28.1, 28.4, 28.13 (a), 28.13 (d), 28.13 (A), 28.14, 28.15, 28.15 (A), 28.16 (a) and (b), 28.19, 28.20, 29.1 (a), (c), (d) and (e), 29.19 and 29.20 of Schedule 4—1 March 1988 (*Gazette* No. G.51, 30 December 1987).
- Road Safety (Amendment) Act 1987—Whole Act, except section 10—9 December 1987 (*Gazette* No. G.48, 9 December 1987).
- Shop Trading Act 1987—Whole Act, except sections 30 and 32—25 November 1987 (*Gazette* No. S.50, 24 November 1987).
- State Concessions Act 1986—Items 1, 2, 4, 5, 6, 9, 10 and 12 of the Schedule—1 December 1987 (*Gazette* No. G.45, 18 November 1987).
- State Concessions (Amendment) Act 1987—1 December 1987 (*Gazette* No. G.45, 18 November 1987).
- State Trust Corporation of Victoria Act 1987—2 November 1987 (*Gazette* No. G.42, 28 October 1987).
- Superannuation Schemes (Accident Compensation) Act 1987—Whole Act, except sections 4 (o), 4 (w), 8 (d) and 8 (k)—13 November 1987 (*Gazette* No. G.44, 11 November 1987); Remaining provisions—1 January 1988 (*Gazette* No. G.51, 30 December 1987).
- Superannuation Schemes Amendment Act 1985—Remaining provisions—25 November 1987 (*Gazette* No. G.46, 25 November 1987).
- Teaching Service (Amendment) Act 1987—Whole Act, except sections 9 (c), 9 (g) and 10—1 January 1988 (*Gazette* No. S.62, 31 December 1987).
- Transfer of Land (Conversion) Act 1986—1 March 1988 (*Gazette* No. G.49, 16 December 1987).
- Transport (Amendment) Act 1986—Section 30—1 January 1988 (*Gazette* No. G.49, 16 December 1987).

Proclamations—*continued*

Trustee (Amendment) Act 1986—Sections 1 to 3 and 5 (except sub-sections (1) (b) and (2))—1 November 1987 (*Gazette* No. G.42, 28 October 1987).

* * * *

The Honourable Haddon Storey 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.

- 18 **CORRECTIONS (REMISSION) 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 effect of the Corrections Regulations 1988 concerning remission on sentences of imprisonment and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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.

Accordingly, this Bill was read a second time, after debate, and, by leave, 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 **BUILDING CONTROL (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable 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 Tuesday next.

- 20 **NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable Marie Tehan 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.

- 21 **VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable C. J. Hogg) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 to 3 inclusive, be postponed until later this day.

- 23 **PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

24 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.06 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 41—Wednesday, 9 March 1988

1 The President took the Chair and read the Prayer.

2 **ASSENT TO ACT**—The Honourable Evan Walker presented a Message from His Excellency the Governor informing the Council that he had, on 8 March 1988, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments:

Corrections (Remission) Act.

3 **PETITIONS**—

KIOSK—GRANT'S PICNIC GROUND—The Honourable Marie Tehan presented a Petition from certain citizens of Victoria opposing the proposal in the Dandenong Ranges National Park Plan for the removal of the kiosk in Grant's Picnic Ground, and praying for its retention.

Ordered to lie on the Table.

* * * *

CEMENT INDUSTRY—The Honourable D. E. Henshaw presented a Petition from certain citizens of Victoria praying that appropriate steps be taken to prevent the importation of dumped cement into Victoria.

Ordered to lie on the Table.

4 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Harness Racing Board—Report, accounts and balance sheets for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

Metropolitan Fire Brigades Superannuation Act 1976—No. 54.

Transport Accident Act 1986—No. 52.

The Honourable Haddon Storey 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.

5 **DISALLOWANCE OF STATUTORY RULE**—The Honourable B. A. Chamberlain moved, That, pursuant to section 49 (1A) of the *Firearms Act 1958*, the Firearms (Prohibited Weapons) Regulations 1987 (S.R. No. 374/1987) be disallowed.

Debate ensued.

The Honourable H. R. Ward moved, That the debate be now adjourned.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold (*Teller*)
 Joan Cocksedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

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

6 BUSINESS OF THE HOUSE—The Honourable B. A. Chamberlain moved, That so much of the Sessional Orders be suspended as would prevent—

- the completion of the debate and the resolution of the question on the motion for the disallowance of Statutory Rule No. 374/1987; and
- the consideration of Notices of Motion, General Business, Nos. 13 and 11—

to be taken after 10.00 p.m. during the sitting of the Council this day.

Debate ensued.

Question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely (*Teller*)
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson

NOES, 21

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford (*Teller*)
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean

R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 7 **SITTING OF THE HOUSE**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 22 March 1988.

Question—put and resolved in the affirmative.

- 8 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Question—put.

The Council divided.

AYES, 21

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter (*Teller*)
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

- 9 **DISALLOWANCE OF STATUTORY RULE**—The Order of the Day having been read for the resumption of the debate on the question, That, pursuant to section 49 (1A) of the *Firearms Act 1958*, the Firearms (Prohibited Weapons) Regulations 1987 (S.R. No. 374/1987) be disallowed—

Debate resumed.

And the Council having continued to sit until after 12 midnight—

THURSDAY, 10 MARCH 1988

Question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest (*Teller*)
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 10 FIREARMS REGULATIONS—The Honourable B. A. Chamberlain moved, That this House is of opinion that the following Regulation should replace Statutory Rule No. 374 of 1987:

“For paragraph (a) in Regulation 24 of the Firearms Regulations 1984 substitute—

‘(a) a firearm which—

- (i) is not a pistol;
- (ii) is a centre-fire rifle;
- (iii) is semi-automatic;
- (iv) has a bulk reloading capacity of 8 or more rounds of ammunition; and
- (v) is in the opinion of the Registrar of Firearms of a kind requiring the exercise of special precautions.

(aa) a firearm which is a centre-fire semi-automatic rifle which incorporates a pistol grip in its design or configuration at the time of manufacture, or which is subsequently fitted.

(ab) a firearm which is a semi-automatic rifle fitted with a folding stock.’ ”

Debate ensued.

Question—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter

NOES, 20

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy

R. M. Hallam	J. E. Kirner
A. J. Hunt (<i>Teller</i>)	W. A. Landeryou
R. I. Knowles	M. A. Lyster
R. Lawson	L. A. McArthur (<i>Teller</i>)
R. J. Long	J. McLean
R. Macey	B. W. Mier (<i>Teller</i>)
J. G. Miles	B. T. Pullen
N. B. Reid	M. J. Sandon
Haddon Storey	G. A. Sgro
Marie Tehan	C. F. Van Buren
Rosemary Varty	Evan Walker
H. R. Ward	D. R. White
K. I. M. Wright (<i>Teller</i>)	

And so it was resolved in the affirmative.

11 ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE—The Honourable Haddon Storey moved—

- (a) That a Select Committee of five members be appointed to enquire into and report upon all aspects of The Constitution Act Amendment (Electoral Reform) Bill and the circumstances surrounding the holding and conduct of the Nunawading re-election on 17 August 1985 and the subsequent enquiries and explanations in relation to matters arising therefrom.
- (b) That the Committee shall consist of the Honourables A. J. Hunt, M. A. Birrell, B. P. Dunn and two other members who shall be appointed by lodgement of the names with the President within 7 days by the Leader of the Government and in default of such lodgement then by lodgement of two names with the President by the Leader of the Opposition at any time thereafter.
- (c) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
- (d) That the Committee shall elect a Deputy Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
- (e) That three members of the Committee shall constitute a quorum.
- (f) That a member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
- (g) That the Committee may sit at such times and at such places as seems most convenient for the proper and speedy despatch of business.
- (h) That the Committee may send for persons, papers and records.
- (i) That the Committee may sit in public or in private as thought appropriate from time to time.
- (j) That the Committee may ask for explanations and receive evidence from:
 - (i) Ministers and Members of the Legislative Council;
 - (ii) With the leave of the Legislative Assembly, Ministers and Members of the Legislative Assembly; and
 - (iii) Public Servants and other relevant officers.
- (k) That the Committee may authorise the publication of any evidence taken by it in public and any documents presented to it.
- (l) That as soon as practicable after the completion of each day's proceedings, a transcript of the evidence taken in public by the Committee shall be published.
- (m) That reports of the Committee may be presented to the Council from time to time.

- (n) That the presentation of a report or an interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (o) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

Debate ensued.

The Honourable D. R. White moved, That the debate be now adjourned.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. T. Pullen (*Teller*)
M. J. Sandon (*Teller*)
G. A. Sgro
C. F. Van Buren
Evan Walker
D. R. White

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
R. M. Hallam
A. J. Hunt
R. I. Knowles (*Teller*)
R. Lawson (*Teller*)
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tchan
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

Debate continued.

The Honourable D. R. White moved, as an amendment, That the words "including the question of election campaign donations" be inserted after the word "Bill" in paragraph (a).

Debate ensued.

Question—That the words proposed to be inserted be so inserted—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold (*Teller*)
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou

NOES, 21

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
R. M. Hallam
A. J. Hunt

M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren (*Teller*)
 Evan Walker
 D. R. White

R. I. Knowles
 R. Lawson
 R. J. Long (*Teller*)
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Question—That the motion be agreed to—put.

The Council divided.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid (*Teller*)
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedg (*Teller*)
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

And then the Council, at 4.11 a.m., adjourned until Tuesday, 22 March 1988.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. HADDON STOREY—To move, That Regulations 2 and 5 of the Freedom of Information (Exempt Offices) Regulations 1987 (S.R. 266/1987) and the Public Service (Unauthorised Disclosure) Regulations 1987 (S.R. 275/1987) be disallowed. [*Notice given 8 March 1988; 10 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 EXHIBITION (AMENDMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading.
- 2 VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading.
- 3 PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Birrell).*
- 4 MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 5 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL—(*from Assembly—Hon. J. E. Kirner*)—Second reading—*Resumption of debate. (Hon. Marie Tehan).*
- 7 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 8 BUILDING CONTROL (GENERAL AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 9 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 10 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Lyster).*
- 11 CRIMES (COMPUTERS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.

- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.
- 11 THE HON. D. M. EVANS—To move, That this House endorses the Government's call for expressions of interest in the establishment of a pulp mill in East Gippsland, but recognises the deficiencies in balancing resource availability to meet the objectives of the Government's own Timber Industry Strategy and the legitimate needs of the people of East Gippsland, and states that it will not agree to the establishment of any further extensive areas of public land in East Gippsland as National or other parks until an assessment has been made of the forest areas needed to meet requirements, and to allow a regeneration programme to maintain and expand forest areas.
- 12 THE HON. R. M. HALLAM—To move, That this House registers its grave concern at the impact of the new formula for distribution of revenue assistance grants to local government, and calls upon the Government to seek an amendment to the formula, and its interpretation, with the specific objective of alleviating the plight of rural municipalities.
- 13 THE HON. A. J. HUNT—To move, That this House acknowledges the widespread and increasing community concern about the growing problem of algal bloom in the Gippsland Lakes and calls upon the Government to immediately set up a Committee with suitable scientific qualifications to assess—
- (a) the present and probable effects of the bloom upon the Lakes and their ecology and its implications for all sections of the community;
 - (b) all the available information as to the cause of the algal bloom;

- (c) the effect of the Thomson Dam on algal bloom;
- (d) whether the release of further water would remove the bloom;
- (e) what other steps could be taken to halt and remove the bloom and to eliminate or mitigate its adverse effects and implications; and
- (f) the steps necessary to ensure a properly co-ordinated approach to the resolution of the problem—

and requests that the report of such Committee be presented to Parliament as soon as is practicable.

- 14 **THE HON. K. I. M. WRIGHT**—To move, That this House condemns the Government for its failure to fund, administer and co-ordinate a programme to monitor and control mosquito breeding sites and to take measures to protect the community from the potential of disease and nuisance caused by mosquitoes.
- 15 **THE HON. K. I. M. WRIGHT**—To move, That this House condemns the Minister for Health for granting the 4 per cent second tier productivity wage increase to hospital employees without first negotiating the productivity savings with the relevant unions, and deplors the subsequent decision to deduct the 4 per cent from payments to hospitals, thereby reducing their efficiency and placing lives at risk.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. R. I. Knowles).*
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. M. J. Sandon).*
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. B. P. Dunn).*

- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 CRIME VICTIMS' SUPPORT SERVICES—LEGAL AND CONSTITUTIONAL COMMITTEE'S REPORT—To be considered.
- 20 OBSTETRIC AND PAEDIATRIC MORTALITY AND MORBIDITY—CONSULTATIVE COUNCIL'S REPORT, 1985—To be considered.
- 21 ALPINE RESORTS COMMISSION REPORT, 1985-86—To be considered.
- 22 CRIMES COMPENSATION TRIBUNAL REPORT, 1986-87—To be considered.
- 23 DENTAL BOARD REPORT, 1985-86—To be considered.
- 24 EDUCATION MINISTRY REPORT, 1986-87—To be considered.
- 25 GEELONG REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- 26 LATROBE REGIONAL COMMISSION REPORT, 1986-87—To be considered.
- 27 MEDICAL BOARD REPORT, 1985-86—To be considered.
- 28 MELBOURNE AND METROPOLITAN BOARD OF WORKS REPORT, 1986-87—To be considered.
- 29 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1986—To be considered.
- 30 PRISON INDUSTRIES COMMISSION REPORT, 1986-87—To be considered.
- 31 PROPERTY AND SERVICES DEPARTMENT REPORT, 1986-87—To be considered.
- 32 ARTS COUNCIL REPORT, 1986-87—To be considered.
- 33 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1986-87—To be considered.
- 34 ESTATE AGENTS BOARD REPORT, 1986-87—To be considered.

- 35 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1986-87—To be considered.
- 36 INDUSTRIAL TRAINING COMMISSION REPORT, 1986-87—To be considered.
- 37 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1986-87—To be considered.
- 38 NURSING COUNCIL REPORT, 1986-87—To be considered.
- 39 PUBLIC ADVOCATE REPORT, 1986-87—To be considered.
- 40 PUBLIC SERVICE BOARD REPORT, 1986-87—To be considered.
- 41 PUBLIC WORKS DEPARTMENT REPORT, 1986-87—To be considered.
- 42 RADIATION ADVISORY COMMITTEE REPORT, 1986-87—To be considered.
- 43 RURAL FINANCE COMMISSION REPORT, 1986-87—To be considered.
- 44 URBAN LAND AUTHORITY REPORT, 1986-87—To be considered.
- 45 ZOOLOGICAL BOARD REPORT, 1986-87—To be considered.
- 46 PORTLAND SMELTER PROJECT UNIT TRUST FINANCIAL STATEMENTS, 1986-87, AND TREASURER'S STATEMENT—To be considered.
- 47 VICTORIAN TAXATION SUMMARY—To be considered.
- 48 ACCIDENT REHABILITATION COUNCIL—MINISTER'S REPORT OF 11 NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER—To be considered.
- 49 ACCIDENT REHABILITATION COUNCIL REPORT, 1986-87—To be considered.
- 50 CORRECTIONS OFFICE REPORT, 1986-87—To be considered.
- 51 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1986-87—To be considered.
- 52 ECONOMIC DEVELOPMENT CORPORATION DETERMINATION OF QUANTITATIVE TARGETS, 1987-88—To be considered.
- 53 EQUAL OPPORTUNITY COMMISSIONER AND EQUAL OPPORTUNITY BOARD REPORT, 1986-87—To be considered.
- 54 EXHIBITION TRUSTEES REPORT, 1985-86—To be considered.
- 55 HEALTH DEPARTMENT REPORT, 1986-87—To be considered.
- 56 HISTORIC BUILDINGS COUNCIL REPORT, 1986-87—To be considered.
- 57 LAW REFORM COMMISSION REPORT, 1986-87—To be considered.
- 58 TORRENS REGISTER BOOK—LAW REFORM COMMISSION'S REPORT—To be considered.
- 59 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1986-87—To be considered.
- 60 STATE INSURANCE OFFICE—TREASURER'S REPORT OF 10 NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER—To be considered.
- 61 STATE INSURANCE OFFICE REPORT, 1986-87—To be considered.
- 62 ZOOLOGICAL BOARD REPORTS, 1982-83, 1983-84 and 1984-85—To be considered.
- 63 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1986-87—To be considered.
- 64 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1986-87—To be considered.
- 65 RURAL WATER COMMISSION REPORT, 1986-87—To be considered.

- 66 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.
- 67 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S ELEVENTH REPORT (S.R.'s 266 and 275/1987)—To be considered.
- 68 ADULT PAROLE BOARD REPORTS, 1982-83 to 1986-87—To be considered.
- 69 ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- 70 BUILDING SOCIETIES COUNCIL REPORT, 1986-87—To be considered.
- 71 COAL MINE WORKERS' PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1986-87—To be considered.
- 72 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1986-87—To be considered.
- 73 COUNTRY FIRE AUTHORITY REPORT, 1986-87—To be considered.
- 74 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.
- 75 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, PERIOD ENDED 30 JUNE 1987—To be considered.
- 76 GEELONG AND DISTRICT WATER BOARD ACCOUNTS, 1986-87—To be considered.
- 77 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- 78 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1986-87—To be considered.
- 79 HOSPITALS SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 80 LABOUR DEPARTMENT REPORT, 1986-87—To be considered.
- 81 LATROBE VALLEY—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—To be considered.
- 82 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1986—To be considered.
- 83 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1986-87—To be considered.
- 84 LAW FOUNDATION REPORT, 1986-87—To be considered.
- 85 LIBRARY COUNCIL REPORT, 1986-87—To be considered.
- 86 LIQUOR CONTROL COMMISSION REPORT, 1986-87—To be considered.
- 87 MELBOURNE AND METROPOLITAN BOARD OF WORKS PROVIDENT FUND REPORT, 1986-87—To be considered.
- 88 MELBOURNE AND METROPOLITAN BOARD OF WORKS SUPERANNUATION SCHEME REPORT, 1986-87—To be considered.
- 89 MELBOURNE UNIVERSITY COUNCIL REPORT, STATUTES AND REGULATIONS 1986—To be considered.
- 90 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1986-87—To be considered.
- 91 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1986-87—To be considered.
- 92 NATIONAL GALLERY COUNCIL REPORT, 1986-87—To be considered.
- 93 PATHOLOGY SERVICES ACCREDITATION BOARD REPORT, 1986-87—To be considered.

- 94 PATRIOTIC FUNDS COUNCIL REPORT, 1986—To be considered.
- 95 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1986-87—To be considered.
- 96 POST-SECONDARY EDUCATION COMMISSION REPORT, 1986-87—To be considered.
- 97 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- 98 STATE FILM CENTRE COUNCIL REPORT, 1986-87—To be considered.
- 99 TOURISM COMMISSION REPORT, 1986-87—To be considered.
- *100 HARNESS RACING BOARD REPORT, 1986-87—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

*ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. A. Birrell, B. P. Dunn and A. J. Hunt. [Two further Members may be nominated to the President by the Leader of the Government or, in default, by the Leader of the Opposition.]

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

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SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

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- (a) the present and probable effects of the bloom upon the Lakes and their ecology and its implications for all sections of the community;
- (b) all the available information as to the cause of the algal bloom;
- (c) the effect of the Thomson Dam on algal bloom;
- (d) whether the release of further water would remove the bloom;
- (e) what other steps could be taken to halt and remove the bloom and to eliminate or mitigate its adverse effects and implications; and
- (f) the steps necessary to ensure a properly co-ordinated approach to the resolution of the problem—

and requests that the report of such Committee be presented to Parliament as soon as is practicable.

14 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Government for its failure to fund, administer and co-ordinate a programme to monitor and control mosquito breeding sites and to take measures to protect the community from the potential of disease and nuisance caused by mosquitoes.

15 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Minister for Health for granting the 4 per cent second tier productivity wage increase to hospital employees without first negotiating the productivity savings with the relevant unions, and deplors the subsequent decision to deduct the 4 per cent from payments to hospitals, thereby reducing their efficiency and placing lives at risk.

ORDERS OF THE DAY

1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.

2 PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).

3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).

4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).

- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—Resumption of debate. (Hon. J. V. C. Guest).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—Resumption of debate. (Hon. R. I. Knowles).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—Resumption of debate. (Hon. M. J. Sandon).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. B. P. Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—Resumption of debate. (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. H. R. Ward).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—Resumption of debate. (Hon. N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 ARTS COUNCIL REPORT, 1986-87—To be considered.
- 20 CONSERVATION, FORESTS AND LANDS DEPARTMENT REPORT, 1986-87—To be considered.
- 21 ESTATE AGENTS BOARD REPORT, 1986-87—To be considered.
- 22 GUARDIANSHIP AND ADMINISTRATION BOARD REPORT, 1986-87—To be considered.
- 23 INDUSTRIAL TRAINING COMMISSION REPORT, 1986-87—To be considered.

- 24 INSTITUTE OF FORENSIC PATHOLOGY REPORT, 1986-87—To be considered.
- 25 NURSING COUNCIL REPORT, 1986-87—To be considered.
- 26 PUBLIC ADVOCATE REPORT, 1986-87—To be considered.
- 27 PUBLIC SERVICE BOARD REPORT, 1986-87—To be considered.
- 28 PUBLIC WORKS DEPARTMENT REPORT, 1986-87—To be considered.
- 29 RADIATION ADVISORY COMMITTEE REPORT, 1986-87—To be considered.
- 30 RURAL FINANCE COMMISSION REPORT, 1986-87—To be considered.
- 31 URBAN LAND AUTHORITY REPORT, 1986-87—To be considered.
- 32 ZOOLOGICAL BOARD REPORT, 1986-87—To be considered.
- 33 PORTLAND SMELTER PROJECT UNIT TRUST FINANCIAL STATEMENTS, 1986-87, AND TREASURER'S STATEMENT—To be considered.
- 34 VICTORIAN TAXATION SUMMARY—To be considered.
- 35 ACCIDENT REHABILITATION COUNCIL—MINISTER'S REPORT OF 11 NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER—To be considered.
- 36 ACCIDENT REHABILITATION COUNCIL REPORT, 1986-87—To be considered.
- 37 CORRECTIONS OFFICE REPORT, 1986-87—To be considered.
- 38 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1986-87—To be considered.
- 39 ECONOMIC DEVELOPMENT CORPORATION DETERMINATION OF QUANTITATIVE TARGETS, 1987-88—To be considered.
- 40 EQUAL OPPORTUNITY COMMISSIONER AND EQUAL OPPORTUNITY BOARD REPORT, 1986-87—To be considered.
- 41 EXHIBITION TRUSTEES REPORT, 1985-86—To be considered.
- 42 HEALTH DEPARTMENT REPORT, 1986-87—To be considered.
- 43 HISTORIC BUILDINGS COUNCIL REPORT, 1986-87—To be considered.
- 44 LAW REFORM COMMISSION REPORT, 1986-87—To be considered.
- 45 TORRENS REGISTER BOOK—LAW REFORM COMMISSION'S REPORT—To be considered.
- 46 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1986-87—To be considered.
- 47 STATE INSURANCE OFFICE—TREASURER'S REPORT OF 10 NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER—To be considered.
- 48 STATE INSURANCE OFFICE REPORT, 1986-87—To be considered.
- 49 ZOOLOGICAL BOARD REPORTS, 1982-83, 1983-84 and 1984-85—To be considered.
- 50 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1986-87—To be considered.
- 51 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1986-87—To be considered.
- 52 RURAL WATER COMMISSION REPORT, 1986-87—To be considered.
- 53 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.
- 54 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S ELEVENTH REPORT (S.R.'s 266 and 275/1987)—To be considered.

- 55 ADULT PAROLE BOARD REPORTS, 1982-83 to 1986-87—To be considered.
- 56 ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- 57 BUILDING SOCIETIES COUNCIL REPORT, 1986-87—To be considered.
- 58 COAL MINE WORKERS' PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1986-87—To be considered.
- 59 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1986-87—To be considered.
- 60 COUNTRY FIRE AUTHORITY REPORT, 1986-87—To be considered.
- 61 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.
- 62 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, PERIOD ENDED 30 JUNE 1987—To be considered.
- 63 GEELONG AND DISTRICT WATER BOARD ACCOUNTS, 1986-87—To be considered.
- 64 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- 65 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1986-87—To be considered.
- 66 HOSPITALS SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 67 LABOUR DEPARTMENT REPORT, 1986-87—To be considered.
- 68 LATROBE VALLEY—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—To be considered.
- 69 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1986—To be considered.
- 70 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1986-87—To be considered.
- 71 LAW FOUNDATION REPORT, 1986-87—To be considered.
- 72 LIBRARY COUNCIL REPORT, 1986-87—To be considered.
- 73 LIQUOR CONTROL COMMISSION REPORT, 1986-87—To be considered.
- 74 MELBOURNE AND METROPOLITAN BOARD OF WORKS PROVIDENT FUND REPORT, 1986-87—To be considered.
- 75 MELBOURNE AND METROPOLITAN BOARD OF WORKS SUPERANNUATION SCHEME REPORT, 1986-87—To be considered.
- 76 MELBOURNE UNIVERSITY COUNCIL REPORT, STATUTES AND REGULATIONS 1986—To be considered.
- 77 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1986-87—To be considered.
- 78 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1986-87—To be considered.
- 79 NATIONAL GALLERY COUNCIL REPORT, 1986-87—To be considered.
- 80 PATHOLOGY SERVICES ACCREDITATION BOARD REPORT, 1986-87—To be considered.
- 81 PATRIOTIC FUNDS COUNCIL REPORT, 1986—To be considered.
- 82 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1986-87—To be considered.

- 83 POST-SECONDARY EDUCATION COMMISSION REPORT, 1986-87—To be considered.
- 84 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- 85 STATE FILM CENTRE COUNCIL REPORT, 1986-87—To be considered.
- 86 TOURISM COMMISSION REPORT, 1986-87—To be considered.
- 87 HARNESS RACING BOARD REPORT, 1986-87—To be considered.
- *88 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1986-87—To be considered.
- *89 CURRICULUM AND ASSESSMENT BOARD REPORT, 1986-87—To be considered.
- *90 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS COMMITTEE REPORTS, 1986-87—To be considered.
- *91 FILM VICTORIA REPORT, 1986-87—To be considered.
- *92 GRAIN ELEVATORS BOARD REPORT, 1986-87—To be considered.
- *93 INSTITUTE OF MARINE SCIENCES REPORTS, 1984 to 1986—To be considered.
- *94 POLICE COMPLAINTS AUTHORITY — SPECIAL REPORT, PURSUANT TO SECTION 86i (2) OF THE *POLICE REGULATION ACT* 1958—To be considered.
- *95 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1986-87—To be considered.
- *96 PUBLIC RECORD OFFICE REPORT, 1986-87—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 CANCER (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading.
- 2 MEDICAL TREATMENT BILL—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate. (Hon. W. R. Baxter).*
- 3 BUILDING CONTROL (GENERAL AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. A. J. Hunt).*
- 4 VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- 5 CRIMES (COMPUTERS) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 6 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 7 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 8 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 9 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Lyster).*

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At 6.00 p.m.

- * JOINT SITTINGS IN THE LEGISLATIVE ASSEMBLY CHAMBER—Appointments to Victorian Health Promotion Foundation and La Trobe University Council.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 42 and 43

No. 42—Tuesday, 22 March 1988

- 1 The President took the Chair and read the Prayer.
- 2 **ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE**—The President announced that he had received from the Leader of the Government, within the time set by the Resolution of the House, a letter in which the Honourables M. J. Arnold and B. W. Mier were nominated as members of the Electoral Reform and Nunawading Re-election Committee.
- 3 **JOINT SITTINGS—LA TROBE UNIVERSITY COUNCIL AND VICTORIAN HEALTH PROMOTION FOUNDATION**—The President announced the receipt of—
 - (a) a letter from the Minister for Education requesting that arrangements be made for a Joint Sitting of the Council and the Assembly to recommend a Member for appointment to the La Trobe University Council; and
 - (b) a letter from the Minister for Health requesting that arrangements be made for a Joint Sitting of the Council and the Assembly to elect Members for appointment to the Victorian Health Promotion Foundation; and
 - (c) a Message from the Assembly acquainting the Council that they had agreed to meet the Council for those purposes and proposing that the place and time of the Joint Sitting be the Assembly Chamber on Wednesday, 23 March 1988 at 6.00 p.m., and desiring the concurrence of the Council.

Ordered—That the Assembly's Message be taken into consideration forthwith.

The Honourable Evan Walker moved, by leave, That this House meet the Legislative Assembly for the purpose of sitting and voting together to recommend a Member for appointment to the Council of the La Trobe University and to elect Members for appointment to the Victorian Health Promotion Foundation and, as proposed by the Assembly, the place and time of such meeting be the Legislative Assembly Chamber on Wednesday, 23 March 1988 at 6.00 p.m.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

4 **PÉTITIONS—**

KIOSK—GRANT'S PICNIC GROUND—The Honourable Marie Tehan presented a Petition from certain citizens of Victoria opposing the proposal in the Dandenong Ranges National Park Plan for the removal of the kiosk in Grant's Picnic Ground, and praying for its retention.

Ordered to lie on the Table.

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BENDIGO GOLD PROJECT—The Honourable K. I. M. Wright presented a Petition from certain citizens of Victoria praying that mining proposals for the Bendigo Gold Project by Western Mining Company be held in abeyance until the public is assured of maximum participation in mining activities and that Government departments are equipped to protect the rights and quality of life of citizens.

Ordered to lie on the Table.

PUBLIC HOSPITALS CLOSURE—The Honourable M. A. Birrell presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

Ordered to lie on the Table.

- 5 **CANCER (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable D. R. White, leave was given to bring in a Bill to make further provision with respect to the objects of the Anti-Cancer Council of Victoria, to amend the *Cancer 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.
- 7 **PAPERS PURSUANT TO STATUTE**—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 1986–87.
- Curriculum and Assessment Board—Report and financial statements for the year 1986–87.
- Dental Board—Report and financial statement, together with the report of the Specialist Practitioners Qualifications Committee, for the year ended 30 September 1987.
- Film Victoria—Report and statement of accounts for the year 1986–87.
- Grain Elevators Board—Report and financial statements for the year ended 30 September 1987.
- Institute of Marine Sciences—Reports and accounts for the years 1984 to 1986.
- Planning and Environment Act 1987—
- Notice of Approval of the following Principal Planning Schemes:
- Alberton Planning Scheme
 - Alexandra Planning Scheme
 - Altona Planning Scheme
 - Arapiles Planning Scheme
 - Ararat (City) Planning Scheme
 - Ararat Shire Planning Scheme
 - Avoca Planning Scheme
 - Avon Planning Scheme
 - Bacchus Marsh Planning Scheme
 - Bairnsdale (Shire) Planning Scheme
 - Bairnsdale (Town) Planning Scheme
 - Ballan Planning Scheme
 - Ballaarat (City) Planning Scheme
 - Ballarat (Shire) Planning Scheme
 - Bass Planning Scheme
 - Beechworth Planning Scheme
 - Belfast Planning Scheme
 - Benalla (City) Planning Scheme
 - Benalla Shire Planning Scheme
 - Bendigo Planning Scheme

Planning and Environment Act 1987—*continued*

Berwick Planning Scheme
Bet Bet Planning Scheme
Birchip Planning Scheme
Box Hill Planning Scheme
Bright Planning Scheme
Brighton Planning Scheme
Broadford Planning Scheme
Broadmeadows Planning Scheme
Brunswick Planning Scheme
Bungaree Planning Scheme
Bulla Planning Scheme
Buln Buln Planning Scheme
Buninyong Planning Scheme
Camberwell Planning Scheme
Camperdown Planning Scheme
Castlemaine Planning Scheme
Caulfield Planning Scheme
Charlton Planning Scheme
Chelsea Planning Scheme
Chiltern Planning Scheme
Cobram Planning Scheme
Coburg Planning Scheme
Cohuna Planning Scheme
Colac (City) Planning Scheme
Colac (Shire) Planning Scheme
Collingwood Planning Scheme
Cranbourne Planning Scheme
Creswick Planning Scheme
Croydon Planning Scheme
Dandenong Planning Scheme
Daylesford and Glenlyon Planning Scheme
Deakin Planning Scheme
Diamond Valley Planning Scheme
Dimboola Planning Scheme
Donald Planning Scheme
Doncaster and Templestowe Planning Scheme
Dundas Planning Scheme
Dunmunkle Planning Scheme
Eaglehawk Planning Scheme
East Loddon Planning Scheme
Echuca Planning Scheme
Eltham Planning Scheme

Planning and Environment Act 1987—*continued*

Essendon Planning Scheme
Euroa Planning Scheme
Fitzroy Planning Scheme
Flinders Planning Scheme
Footscray Planning Scheme
Frankston Planning Scheme
French Island Planning Scheme
Geelong Regional Planning Scheme
Gisborne Planning Scheme
Glenelg Planning Scheme
Gordon Planning Scheme
Goulburn Planning Scheme
Grenville Planning Scheme
Hamilton Planning Scheme
Hampden Planning Scheme
Hastings Planning Scheme
Hawthorn Planning Scheme
Healesville Planning Scheme
Heidelberg Planning Scheme
Heytesbury Planning Scheme
Horsham Planning Scheme
Huntly Planning Scheme
Kaniva Planning Scheme
Kara Kara Planning Scheme
Karkaroc Planning Scheme
Keilor Planning Scheme
Kerang (Borough) Planning Scheme
Kerang (Shire) Planning Scheme
Kew Planning Scheme
Kilmore Planning Scheme
Knox Planning Scheme
Korong Planning Scheme
Korumburra Planning Scheme
Kowree Planning Scheme
Kyabram Planning Scheme
Kyneton Planning Scheme
Leigh Planning Scheme
Lexton Planning Scheme
Lillydale Planning Scheme
Lowan Planning Scheme
Maffra Planning Scheme
Maldon Planning Scheme

Planning and Environment Act 1987—*continued*

Malvern Planning Scheme
Mansfield Planning Scheme
Marong Planning Scheme
Maryborough Planning Scheme
McIvor Planning Scheme
Melbourne Planning Scheme
Melton Planning Scheme
Metcalf Planning Scheme
Mildura City Planning Scheme
Mildura Shire Planning Scheme
Minhamite Planning Scheme
Mirboo Planning Scheme
Moe Planning Scheme
Moorabbin Planning Scheme
Mordialloc Planning Scheme
Mornington Planning Scheme
Morwell Planning Scheme
Mortlake Planning Scheme
Mount Rouse Planning Scheme
Myrtleford Planning Scheme
Narracan Planning Scheme
Nathalia Planning Scheme
Newham and Woodend Planning Scheme
Newstead Planning Scheme
Northcote Planning Scheme
Numurkah Planning Scheme
Nunawading Planning Scheme
Oakleigh Planning Scheme
Omeo Planning Scheme
Orbost Planning Scheme
Otway Planning Scheme
Oxley Planning Scheme
Pakenham Planning Scheme
Phillip Island Planning Scheme
Port Fairy Planning Scheme
Portland City Planning Scheme
Portland (Shire) Planning Scheme
Port of Melbourne Planning Scheme
Port Melbourne Planning Scheme
Prahran Planning Scheme
Preston Planning Scheme
Pyalong Planning Scheme

Planning and Environment Act 1987—*continued*

Richmond Planning Scheme
Ripon Planning Scheme
Ringwood Planning Scheme
Rochester Planning Scheme
Rodney Planning Scheme
Romsey Planning Scheme
Rosedale Planning Scheme
Rutherglen Planning Scheme
Sale Planning Scheme
Sandringham Planning Scheme
Sandstone Island Planning Scheme
Sebastopol Planning Scheme
Seymour Planning Scheme
Shepparton City Planning Scheme
Shepparton Shire Planning Scheme
Sherbrooke Planning Scheme
South Gippsland Planning Scheme
South Melbourne Planning Scheme
Springvale Planning Scheme
St Arnaud Planning Scheme
Stawell Shire Planning Scheme
Stawell (Town) Planning Scheme
Strathfieldsaye Planning Scheme
St Kilda Planning Scheme
Sunshine Planning Scheme
Swan Hill City Planning Scheme
Swan Hill Shire Planning Scheme
Talbot and Clunes Planning Scheme
Tallangatta Planning Scheme
Tambo Planning Scheme
Traralgon (City) Planning Scheme
Traralgon (Shire) Planning Scheme
Tullaroop Planning Scheme
Tungamah Planning Scheme
Upper Murray Planning Scheme
Upper Yarra Planning Scheme
Violet Town Planning Scheme
Walpeup Planning Scheme
Wangaratta City Planning Scheme
Wangaratta Shire Planning Scheme
Wannon Planning Scheme
Warracknabeal Planning Scheme

Planning and Environment Act 1987—*continued*

Waranga Planning Scheme
 Warragul Planning Scheme
 Warrnambool City Planning Scheme
 Warrnambool Shire Planning Scheme
 Waverley Planning Scheme
 Werribee Planning Scheme
 Whittlesea Planning Scheme
 Williamstown Planning Scheme
 Wimmera Planning Scheme
 Winchelsea Planning Scheme
 Wodonga Planning Scheme
 Wodonga Development Areas Planning Scheme
 Wonthaggi Planning Scheme
 Woorayl Planning Scheme
 Wycheproof Planning Scheme
 Yackandandah Planning Scheme
 Yallourn Works Area Planning Scheme
 Yarrawonga Planning Scheme
 Yea Planning Scheme

Notice of Approval to the Otway Planning Scheme—Amendment No. L 1.

Police Complaints Authority—Special report, pursuant to section 86I (2) of the *Police Regulation Act 1958*.

Port of Portland Authority—Balance sheets and statements of accounts for the year 1986–87.

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

Statutory Rules under the following Acts of Parliament:

Boilers and Pressure Vessels Act 1970—Nos. 62 and 63.
 Construction Industry Long Service Leave Act 1983—No. 64.
 Explosives Act 1962—No. 70.
 Inflammable Liquids Act 1966—No. 72.
 Lifts and Cranes Act 1967—Nos. 68 and 69.
 Liquefied Gases Act 1968—No. 71.
 Marketing of Primary Products Act 1958—No. 58.
 Metropolitan Fire Brigades Superannuation Act 1976—No. 74.
 Scaffolding Act 1971—Nos. 65 to 67.

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PROCLAMATIONS—Proclamations of His Excellency the Governor in Council and the Lieutenant-Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 24 February 1987:

Agricultural Acts (Further Amendment) Act 1987—Section 13—24 February 1988 (*Gazette* No. G7, 24 February 1988).

Proclamations—*continued*

Corrections Act 1986—Parts 2, 4, 5, 6, 7, 9, 10, Divisions 2 and 3 of Part 8, Sections 4 and 11 and Items 1, 3, 4, 5, Parts (1), (3), (4) and (6) to (9) of Schedule 1—1 March 1988 (*Gazette* No. G7, 24 February 1988).

Health (Amendment) Act 1987—Sections 5 to 7—14 February 1988 (*Gazette* No. G5, 10 February 1988).

Loddon-Campaspe Regional Planning Authority Act 1987—Whole Act, except Section 14—15 February 1988 (*Gazette* No. G5, 10 February 1988).

Metropolitan Fire Brigades Superannuation (Amendment) Act 1987—24 February 1988 (*Gazette* No. G7, 24 February 1988).

Occupational Health and Safety Act 1985—Items 14 to 19, 23, 24 and 34 of Schedule 2—23 February 1988 (*Gazette* No. S11, 23 February 1988); Item 20 of Schedule 2—16 March 1988 (*Gazette* No. G10, 16 March 1988).

Planning and Environment Act 1987—Remaining provisions, except Items 118 and 119 of the Schedule—16 February 1988 (*Gazette* No. G5, 10 February 1988).

Prostitution Regulation Act 1986—Section 82—16 February 1988 (*Gazette* No. G5, 10 February 1988).

Shop Trading Act 1987—Sections 30 and 32—17 February 1988 (*Gazette* No. G6, 17 February 1988).

Taxation Acts (Amendment) Act 1986—Section 30—29 February 1988 (*Gazette* No. G7, 24 February 1988).

Victoria Grants Commission (Amendment) Act 1987—1 June 1987 (*Gazette* No. G7, 24 February 1988).

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The Honourable A. J. Hunt (for the Honourable Haddon Storey) moved, That the Reports and accounts tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 8 **EXHIBITION (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, 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 **VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable Evan Walker) moved, That this Bill be now read a second time.

The Honourable 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 **PATHOLOGY SERVICES ACCREDITATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time, and, by leave, read a third time and passed.

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

- 11 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 and 5, be postponed until later this day.

- 12 **NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 13 **ADJOURNMENT**—The Honourable D. R. White moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.38 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 43—Wednesday, 23 March 1988

- 1 The President took the Chair and read the Prayer.

- 2 **FIREARMS (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Firearms Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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—FLORA AND FAUNA GUARANTEE BILL**—The Honourable Marie Tehan presented a Petition from certain citizens of Victoria praying for the passing, this Session, of the Flora and Fauna Guarantee Bill, and that any amendments be directed towards strengthening the powers of protection rather than limiting the range of species and communities protected under the Act.

Ordered to lie on the Table.

- 4 **MEDICAL TREATMENT BILL (No. 2)**—On the motion (by leave without notice) of the Honourable J. H. Kennan, leave was given to bring in a Bill to create an offence of medical trespass, to make other provision concerning the refusal of medical treatment 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**—

WORKCARE COMMITTEE—The Honourable L. A. McArthur presented the First Report from the WorkCare Committee upon the Inquiry into the Transitional Arrangements regarding Pre-WorkCare Liabilities, together with Extracts from the Proceedings, Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report, Extracts from the Proceedings and Appendices to be printed.

The Honourable B. A. Chamberlain 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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PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Planning and Environment Act 1987—Notice of approval to the Lillydale Planning Scheme—Amendment L 9.

Police Service Board—

Determination No. 493.

Determination No. 9 for Police Recruits.

Determinations Nos. 2 and 3 for Protective Services Officers.

Registration of Births, Deaths and Marriages Act 1959—General abstract of births, stillbirths, deaths and marriages for the year 1986.

Statutory Rules under the following Acts of Parliament:

Abattoir and Meat Inspection Act 1973—No. 75.

Agricultural Chemicals Act 1958—Nos. 76 and 77.

Boilers and Pressure Vessels Act 1970—No. 61.

Building Control Act 1981—No. 85.

Corrections Act 1986—Nos. 73 and 86.

Drugs, Poisons and Controlled Substances Act 1981—Nos. 82 and 83.

Fertilizers Act 1974—No. 78.

Firearms Act 1958—No. 92.

Health Act 1958—No. 60.

Liquor Control Act 1987—No. 84.

Parliamentary Salaries and Superannuation Act 1968—No. 87.

Prevention of Cruelty to Animals Act 1986—No. 79.

Public Service Act 1974—No. 88.

Racing Act 1958—No. 89.

Road Safety Act 1986—Nos. 90 and 91.

Seeds Act 1982—No. 80.

Stock (Artificial Breeding) Act 1962—No. 81.

Supreme Court Act 1986—No. 57.

Wildlife Act 1975—No. 59.

* * * *

PROCLAMATION—A Proclamation of His Excellency the Governor in Council fixing an operative date in respect of the following Act was laid upon the Table by the Clerk pursuant to an Order of the Council on 24 February 1987:

Geelong Market Site (Amendment) Act 1987—24 February 1988 (*Gazette* No. G7, 24 February 1988).

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The Honourable Haddon Storey moved, That the Abstract tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 6 **DISALLOWANCE OF STATUTORY RULE**—The Honourable Haddon Storey moved, That Regulations 2 and 5 of the Freedom of Information (Exempt Offices) Regulations 1987 (S.R. 266/1987) and the Public Service (Unauthorised Disclosure) Regulations 1987 (S.R. 275/1987) be disallowed.

Debate ensued.

Question—put and resolved in the affirmative.

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

- 7 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 13 inclusive, be postponed until later this day.

- 8 **MOSQUITO BREEDING**—The Honourable K. I. M. Wright moved, That this House condemns the Government for its failure to fund, administer and co-ordinate a programme to monitor and control mosquito breeding sites and to take measures to protect the community from the potential of disease and nuisance caused by mosquitoes.

Debate ensued.

The Honourable 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.

- 9 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining General Business be postponed until the next day of meeting.

- 10 **CANCER (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable M. A. Birrell 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 **JOINT SITTINGS**—The President announced that the time had arrived for the Joint Sittings with the Assembly to recommend a Member for appointment to the Council of the La Trobe University and to elect Members for appointment to the Victorian Health Promotion Foundation.

Accordingly, the Council then proceeded to the Assembly Chamber, and having returned—

The President reported that, at the Joint Sittings, Dr Ronald James Herbert Wells, M.P., was chosen to be recommended for appointment to the Council of the La Trobe University, and the Honourable Michael John Arnold, M.L.C., Mr William Desmond McGrath, M.P., and the Honourable George Graeme Weideman, M.P., were elected for appointment to the Victorian Health Promotion Foundation.

- 12 **FIREARMS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable 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.

- 13 **MEDICAL TREATMENT BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. H. Kennan) moved, That this Bill be now read a second time.

The Honourable 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.

- 14 **MEDICAL TREATMENT BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable J. H. Kennan moved, That the said Order be discharged.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 15 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.

- 16 **VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **BUILDING CONTROL (GENERAL AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 18 **GROCERY PRICES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Grocery Prices Act 1987' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **BUILDING CONTROL (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

The Honourable Evan Walker moved, That the following consequential amendments be made to the Bill:

1. Clause 2, line 11, omit "8, 9, 14, 20, 26 and 27" and insert "9, 10, 13, 16, 22, 28 and 29".
2. Clause 2, line 13, omit "8, 9, 14 and 20" and insert "8, 9, 10, 16 and 22".
3. Clause 2, line 15, omit "26 and 27" and insert "28 and 29".

Question—put and resolved in the affirmative.

Bill 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.

20 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.59 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 GROCERY PRICES (AMENDMENT) BILL—(*from Assembly—Hon. Evan Walker*)—
Second reading.
- *2 MEDICAL TREATMENT BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- *3 FIREARMS (AMENDMENT) BILL (No. 2)—(*from Assembly—Hon. J. E. Kirner*)—
Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 4 CRIMES (COMPUTERS) BILL—(*Hon. Evan Walker*)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 5 CANCER (AMENDMENT) BILL—(*Hon. D. R. White*)—Second reading—
Resumption of debate. (Hon. M. A. Birrell).
- 6 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (*from*
Assembly—Hon. Evan Walker)—Second reading—*Resumption of debate. (Hon.*
Haddon Storey).
- 7 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second
reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 8 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(*from Assembly—Hon.*
C. J. Hogg)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 9 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second
reading—*Resumption of debate. (Hon. M. A. Lyster).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the
funding, administration and operation of the Department of Conservation,
Forests and Lands, the Minister for Conservation, Forests and Lands no
longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government
to reconsider its policy of selling so-called surplus land and to consult public
opinion and future needs before dispersing assets that have been acquired
over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing
late payment of accounts by the Government to the detriment of the business
community, and calls upon the Government to bring payment of accounts
into line with suppliers' terms of trade by the end of the current financial
year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the
Government for its successful and continuing efforts to raise the status of
women in the Victorian community through increased access to education,
training and employment opportunities, transport, health, childcare and other

* Indicates new entry.

support services which enhance the opportunities and options for participation in the wider community.

- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills

relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and

(d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

- 11 THE HON. D. M. EVANS—To move, That this House endorses the Government's call for expressions of interest in the establishment of a pulp mill in East Gippsland, but recognises the deficiencies in balancing resource availability to meet the objectives of the Government's own Timber Industry Strategy and the legitimate needs of the people of East Gippsland, and states that it will not agree to the establishment of any further extensive areas of public land in East Gippsland as National or other parks until an assessment has been made of the forest areas needed to meet requirements, and to allow a regeneration programme to maintain and expand forest areas.
- 12 THE HON. R. M. HALLAM—To move, That this House registers its grave concern at the impact of the new formula for distribution of revenue assistance grants to local government, and calls upon the Government to seek an amendment to the formula, and its interpretation, with the specific objective of alleviating the plight of rural municipalities.
- 13 THE HON. A. J. HUNT—To move, That this House acknowledges the widespread and increasing community concern about the growing problem of algal bloom in the Gippsland Lakes and calls upon the Government to immediately set up a Committee with suitable scientific qualifications to assess—
- (a) the present and probable effects of the bloom upon the Lakes and their ecology and its implications for all sections of the community;
 - (b) all the available information as to the cause of the algal bloom;
 - (c) the effect of the Thomson Dam on algal bloom;
 - (d) whether the release of further water would remove the bloom;
 - (e) what other steps could be taken to halt and remove the bloom and to eliminate or mitigate its adverse effects and implications; and
 - (f) the steps necessary to ensure a properly co-ordinated approach to the resolution of the problem—

and requests that the report of such Committee be presented to Parliament as soon as is practicable.

- 14 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Minister for Health for granting the 4 per cent second tier productivity wage increase to hospital employees without first negotiating the productivity savings with the relevant unions, and deplores the subsequent decision to deduct the 4 per cent from payments to hospitals, thereby reducing their efficiency and placing lives at risk.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.

- 2 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. R. I. Knowles).*
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. M. J. Sandon).*
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. B. P. Dunn).*
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. B. T. Pullen).*
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate. (Hon. H. R. Ward).*
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate. (Hon. C. F. Van Buren).*
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate. (Hon. H. R. Ward).*
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate. (Hon. N. B. Reid).*
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. Evan Walker).*
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate. (Hon. Evan Walker).*
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.

- 19 PORTLAND SMELTER PROJECT UNIT TRUST FINANCIAL STATEMENTS, 1986-87, AND TREASURER'S STATEMENT—To be considered.
- 20 VICTORIAN TAXATION SUMMARY—To be considered.
- 21 ACCIDENT REHABILITATION COUNCIL—MINISTER'S REPORT OF 11 NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER—To be considered.
- 22 ACCIDENT REHABILITATION COUNCIL REPORT, 1986-87—To be considered.
- 23 CORRECTIONS OFFICE REPORT, 1986-87—To be considered.
- 24 DIRECTOR OF PUBLIC PROSECUTIONS OFFICE REPORT, 1986-87—To be considered.
- 25 ECONOMIC DEVELOPMENT CORPORATION DETERMINATION OF QUANTITATIVE TARGETS, 1987-88—To be considered.
- 26 EQUAL OPPORTUNITY COMMISSIONER AND EQUAL OPPORTUNITY BOARD REPORT, 1986-87—To be considered.
- 27 EXHIBITION TRUSTEES REPORT, 1985-86—To be considered.
- 28 HEALTH DEPARTMENT REPORT, 1986-87—To be considered.
- 29 HISTORIC BUILDINGS COUNCIL REPORT, 1986-87—To be considered.
- 30 LAW REFORM COMMISSION REPORT, 1986-87—To be considered.
- 31 TORRENS REGISTER BOOK—LAW REFORM COMMISSION'S REPORT—To be considered.
- 32 MANAGEMENT AND BUDGET DEPARTMENT REPORT, 1986-87—To be considered.
- 33 STATE INSURANCE OFFICE—TREASURER'S REPORT OF 10 NOVEMBER 1987 OF FAILURE TO SUBMIT ANNUAL REPORT TO HIM BY 30 SEPTEMBER—To be considered.
- 34 STATE INSURANCE OFFICE REPORT, 1986-87—To be considered.
- 35 ZOOLOGICAL BOARD REPORTS, 1982-83, 1983-84 and 1984-85—To be considered.
- 36 ATTORNEY-GENERAL'S DEPARTMENT REPORT, 1986-87—To be considered.
- 37 POLICE AND EMERGENCY SERVICES MINISTRY REPORT, 1986-87—To be considered.
- 38 RURAL WATER COMMISSION REPORT, 1986-87—To be considered.
- 39 SMALL BUSINESS DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.
- 40 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S ELEVENTH REPORT (S.R.'s 266 and 275/1987)—To be considered.
- 41 ADULT PAROLE BOARD REPORTS, 1982-83 to 1986-87—To be considered.
- 42 ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- 43 BUILDING SOCIETIES COUNCIL REPORT, 1986-87—To be considered.
- 44 COAL MINE WORKERS' PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1986-87—To be considered.
- 45 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1986-87—To be considered.
- 46 COUNTRY FIRE AUTHORITY REPORT, 1986-87—To be considered.
- 47 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.

- 48 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, PERIOD ENDED 30 JUNE 1987—To be considered.
- 49 GEELONG AND DISTRICT WATER BOARD ACCOUNTS, 1986-87—To be considered.
- 50 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- 51 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1986-87—To be considered.
- 52 HOSPITALS SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 53 LABOUR DEPARTMENT REPORT, 1986-87—To be considered.
- 54 LATROBE VALLEY—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—To be considered.
- 55 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1986—To be considered.
- 56 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1986-87—To be considered.
- 57 LAW FOUNDATION REPORT, 1986-87—To be considered.
- 58 LIBRARY COUNCIL REPORT, 1986-87—To be considered.
- 59 LIQUOR CONTROL COMMISSION REPORT, 1986-87—To be considered.
- 60 MELBOURNE AND METROPOLITAN BOARD OF WORKS PROVIDENT FUND REPORT, 1986-87—To be considered.
- 61 MELBOURNE AND METROPOLITAN BOARD OF WORKS SUPERANNUATION SCHEME REPORT, 1986-87—To be considered.
- 62 MELBOURNE UNIVERSITY COUNCIL REPORT, STATUTES AND REGULATIONS 1986—To be considered.
- 63 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1986-87—To be considered.
- 64 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1986-87—To be considered.
- 65 NATIONAL GALLERY COUNCIL REPORT, 1986-87—To be considered.
- 66 PATHOLOGY SERVICES ACCREDITATION BOARD REPORT, 1986-87—To be considered.
- 67 PATRIOTIC FUNDS COUNCIL REPORT, 1986—To be considered.
- 68 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1986-87—To be considered.
- 69 POST-SECONDARY EDUCATION COMMISSION REPORT, 1986-87—To be considered.
- 70 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- 71 STATE FILM CENTRE COUNCIL REPORT, 1986-87—To be considered.
- 72 TOURISM COMMISSION REPORT, 1986-87—To be considered.
- 73 HARNESS RACING BOARD REPORT, 1986-87—To be considered.
- 74 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1986-87—To be considered.
- 75 CURRICULUM AND ASSESSMENT BOARD REPORT, 1986-87—To be considered.

- 76 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS COMMITTEE REPORTS, 1986-87—To be considered.
- 77 FILM VICTORIA REPORT, 1986-87—To be considered.
- 78 GRAIN ELEVATORS BOARD REPORT, 1986-87—To be considered.
- 79 INSTITUTE OF MARINE SCIENCES REPORTS, 1984 to 1986—To be considered.
- 80 POLICE COMPLAINTS AUTHORITY — SPECIAL REPORT, PURSUANT TO SECTION 86I (2) OF THE *POLICE REGULATION ACT* 1958—To be considered.
- 81 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1986-87—To be considered.
- 82 PUBLIC RECORD OFFICE REPORT, 1986-87—To be considered.
- *83 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- *84 *REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT* 1959—ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1986—To be considered.
- *85 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

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* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- *1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act* 1958, the *Firearms (Prohibited Weapons) Regulations* 1988 (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 11 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

* Indicates new entry.

- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.
- 11 THE HON. D. M. EVANS—To move, That this House endorses the Government's call for expressions of interest in the establishment of a pulp mill in East Gippsland, but recognises the deficiencies in balancing resource availability to meet the objectives of the Government's own Timber Industry Strategy

and the legitimate needs of the people of East Gippsland, and states that it will not agree to the establishment of any further extensive areas of public land in East Gippsland as National or other parks until an assessment has been made of the forest areas needed to meet requirements, and to allow a regeneration programme to maintain and expand forest areas.

12 THE HON. R. M. HALLAM—To move, That this House registers its grave concern at the impact of the new formula for distribution of revenue assistance grants to local government, and calls upon the Government to seek an amendment to the formula, and its interpretation, with the specific objective of alleviating the plight of rural municipalities.

13 THE HON. A. J. HUNT—To move, That this House acknowledges the widespread and increasing community concern about the growing problem of algal bloom in the Gippsland Lakes and calls upon the Government to immediately set up a Committee with suitable scientific qualifications to assess—

(a) the present and probable effects of the bloom upon the Lakes and their ecology and its implications for all sections of the community;

(b) all the available information as to the cause of the algal bloom;

(c) the effect of the Thomson Dam on algal bloom;

(d) whether the release of further water would remove the bloom;

(e) what other steps could be taken to halt and remove the bloom and to eliminate or mitigate its adverse effects and implications; and

(f) the steps necessary to ensure a properly co-ordinated approach to the resolution of the problem—

and requests that the report of such Committee be presented to Parliament as soon as is practicable.

14 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Minister for Health for granting the 4 per cent second tier productivity wage increase to hospital employees without first negotiating the productivity savings with the relevant unions, and deplors the subsequent decision to deduct the 4 per cent from payments to hospitals, thereby reducing their efficiency and placing lives at risk.

*15 THE HON. MARIE TEHAN—To move, That this House condemns the Government for its disregard of conservation and environmental values within Melbourne and its environs, and for the continual selling off and redevelopment of public land without regard to the vital need for the protection and creation of urban open space.

CONTINGENT NOTICE OF MOTION

*1 THE HON. B. A. CHAMBERLAIN—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to effect the amendment of the *Crimes (Family Violence) Act 1987* to enable police to search for and seize firearms after complaint for an intervention order and to provide for their subsequent disposal.

ORDERS OF THE DAY

1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.

2 PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).

- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. R. I. Knowles).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 SUBORDINATE LEGISLATION—LEGAL AND CONSTITUTIONAL COMMITTEE'S ELEVENTH REPORT (S.R.'s 266 and 275/1987)—To be considered.

- 20 ADULT PAROLE BOARD REPORTS, 1982-83 to 1986-87—To be considered.
- 21 ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- 22 BUILDING SOCIETIES COUNCIL REPORT, 1986-87—To be considered.
- 23 COAL MINE WORKERS' PENSIONS TRIBUNAL (VICTORIA) ACCOUNTS, 1986-87—To be considered.
- 24 CONSTRUCTION INDUSTRY LONG SERVICE LEAVE BOARD REPORT, 1986-87—To be considered.
- 25 COUNTRY FIRE AUTHORITY REPORT, 1986-87—To be considered.
- 26 ECONOMIC DEVELOPMENT CORPORATION REPORT, 1986-87—To be considered.
- 27 EMERGENCY SERVICES SUPERANNUATION BOARD REPORT, PERIOD ENDED 30 JUNE 1987—To be considered.
- 28 GEELONG AND DISTRICT WATER BOARD ACCOUNTS, 1986-87—To be considered.
- 29 GEELONG PERFORMING ARTS CENTRE TRUST REPORT, 1986-87—To be considered.
- 30 GOVERNMENT EMPLOYEE HOUSING AUTHORITY REPORT, 1986-87—To be considered.
- 31 HOSPITALS SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 32 LABOUR DEPARTMENT REPORT, 1986-87—To be considered.
- 33 LATROBE VALLEY—LAND CONSERVATION COUNCIL'S FINAL RECOMMENDATIONS—To be considered.
- 34 LA TROBE UNIVERSITY COUNCIL REPORT AND STATUTES, 1986—To be considered.
- 35 LATROBE VALLEY WATER AND SEWERAGE BOARD REPORT, 1986-87—To be considered.
- 36 LAW FOUNDATION REPORT, 1986-87—To be considered.
- 37 LIBRARY COUNCIL REPORT, 1986-87—To be considered.
- 38 LIQUOR CONTROL COMMISSION REPORT, 1986-87—To be considered.
- 39 MELBOURNE AND METROPOLITAN BOARD OF WORKS PROVIDENT FUND REPORT, 1986-87—To be considered.
- 40 MELBOURNE AND METROPOLITAN BOARD OF WORKS SUPERANNUATION SCHEME REPORT, 1986-87—To be considered.
- 41 MELBOURNE UNIVERSITY COUNCIL REPORT, STATUTES AND REGULATIONS 1986—To be considered.
- 42 METROPOLITAN TRANSIT AUTHORITY SUPERANNUATION FUND REPORT, 1986-87—To be considered.
- 43 NATIONAL COMPANIES AND SECURITIES COMMISSION REPORT, 1986-87—To be considered.
- 44 NATIONAL GALLERY COUNCIL REPORT, 1986-87—To be considered.
- 45 PATHOLOGY SERVICES ACCREDITATION BOARD REPORT, 1986-87—To be considered.
- 46 PATRIOTIC FUNDS COUNCIL REPORT, 1986—To be considered.
- 47 PLANNING AND ENVIRONMENT MINISTRY REPORT, 1986-87—To be considered.

- 48 POST-SECONDARY EDUCATION COMMISSION REPORT, 1986-87—To be considered.
- 49 POULTRY FARMER LICENSING REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- 50 STATE FILM CENTRE COUNCIL REPORT, 1986-87—To be considered.
- 51 TOURISM COMMISSION REPORT, 1986-87—To be considered.
- 52 HARNESS RACING BOARD REPORT, 1986-87—To be considered.
- 53 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1986-87—To be considered.
- 54 CURRICULUM AND ASSESSMENT BOARD REPORT, 1986-87—To be considered.
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- 60 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1986-87—To be considered.
- 61 PUBLIC RECORD OFFICE REPORT, 1986-87—To be considered.
- 62 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 63 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1986—To be considered.
- 64 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- *65 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND TRUSTEES' REPORT, 1986-87—To be considered.
- *66 FREEDOM OF INFORMATION ACT 1982—REPORT ON OPERATION, 1986-87—To be considered.
- *67 LEGAL PROFESSION PRACTICE ACT 1958—LAY OBSERVER'S REPORT, 1986—To be considered.
- *68 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- *69 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1986-87—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 AGRICULTURAL ACTS (AMENDMENT) BILL (No. 2)—(*Hon. Evan Walker*)—Second reading.
- *2 RACING (AMENDMENT) BILL (No. 2)—(*Hon. J. E. Kirner*)—Second reading.
- 3 FIREARMS (AMENDMENT) BILL (No. 2)—(*from Assembly—Hon. J. E. Kirner*)—Motion for the second reading and reasoned amendment of the *Hon. R. M. Hallam—Resumption of debate.* (*Hon. J. L. Dixon*).

- 4 CRIMES (COMPUTERS) BILL—(Hon. Evan Walker)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 5 CANCER (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—
Resumption of debate. (Hon. M. A. Birrell).
- 6 MEDICAL TREATMENT BILL (No. 2)—(Hon. J. H. Kennan)—Second reading—
Resumption of debate. (Hon. B. A. Chamberlain).
- 7 GROCERY PRICES (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—
Second reading—Resumption of debate. (Hon. G. P. Connard).
- 8 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from
Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon.
Haddon Storey).
- 9 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second
reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 10 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon.
C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 11 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second
reading—Resumption of debate. (Hon. M. A. Lyster).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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MINUTES OF THE PROCEEDINGS

Nos. 44 and 45

No. 44—Tuesday, 29 March 1988

- 1 The President took the Chair and read the Prayer.
- 2 **PETITIONS—FLORA AND FAUNA GUARANTEE BILL**—The Honourables C. J. Kennedy and Marie Tehan each presented Petitions from certain citizens of Victoria praying for the passing, this Session, of the Flora and Fauna Guarantee Bill, and that any amendments be directed towards strengthening the powers of protection rather than limiting the range of species and communities protected under the Act.

Severally ordered to lie on the Table.

- 3 **AGRICULTURAL ACTS (AMENDMENT) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable Evan Walker, leave was given to bring in a Bill to amend the *Abattoir and Meat Inspection Act 1973*, the *Agricultural Chemicals Act 1958*, the *Bees Act 1971*, the *Broiler Chicken Industry Act 1978*, the *Dairy Industry Act 1984*, the *Margarine Act 1975*, the *Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977*, the *Prevention of Cruelty to Animals Act 1986*, the *Stock Diseases Act 1968* and the *Tomato Processing Industry Act 1976*, and to repeal the *Wine Grape Processing Industry Act 1978*, 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 **RACING (AMENDMENT) BILL (No. 2)**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Racing 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.
- 5 **FISHERIES (ABALONE) (AMENDMENT) BILL**—On the motion (by leave without notice) of the Honourable J. E. Kirner, leave was given to bring in a Bill to amend the *Fisheries (Abalone) Act 1987* 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 PAPERS—

PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the Report of the Trustees of the Parliamentary Contributory Superannuation Fund for the year 1986–87.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable Haddon Storey 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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PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Freedom of Information Act 1982—Report on operation for the year 1986–87.

Legal Profession Practice Act 1958—Lay observer's report for the year 1986.

Metropolitan Fire Brigades Superannuation Board—Report and financial statements for the year 1986–87.

Planning and Environment Act 1987—Notice of approval to the Flinders Planning Scheme—Amendment L 13.

Publications—Report of the State Classification of Publications Board for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

Environment Protection Act 1970—No. 95.

Firearms Act 1958—Nos 97 and 98.

Legal Profession Practice Act 1958—No. 93.

Police Regulation Act 1958—No. 96.

Stamps Act 1958—No. 99.

Superannuation Act 1975—No. 100.

Wildlife Act 1975—No. 94.

The Honourable Haddon Storey 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.

- 7 **GROCERY PRICES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable G. P. Connard 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 2, be postponed until later this day.

- 9 **FIREARMS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable R. M. Hallam 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—

- (1) the Firearms Consultative Committee has inquired into, considered and reported upon its proposals having regard especially to the desirability of—

- enacting legislation similar to the New Zealand Arms Act which places emphasis on education and training as pre-requisites to obtaining a shooter's licence; and
- abolishing the registration of firearms and permits to purchase; and

- (2) the Social Development Committee has reported to the Parliament on its current inquiry into Community Violence.”.

Debate ensued.

The Honourable R. I. Knowles 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 **FISHERIES (ABALONE) (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, read a third time and passed.

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

- 11 **FIREARMS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time, and on the reasoned amendment moved by the Honourable R. M. Hallam (for amendment, see item 9 *ante*)—

Debate resumed.

The Honourable J. L. Dixon 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 **ADJOURNMENT**—The Honourable J. E. Kirner moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.13 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 45—Wednesday, 30 March 1988

- 1 The President took the Chair and read the Prayer.
- 2 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend provisions of the ‘Planning and Environment Act 1987’ relating to transitional arrangements and certain other matters and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **FISHERIES (ABALONE) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they have agreed to this Bill without amendment.

4 PAPERS—

RESEARCH PRACTICES OF DR ASHOKA PRASAD—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of a Report to the Minister containing a summary of the resolutions of the Committee of Enquiry examining research practices employed by Dr Ashoka Prasad in relation to the research project entitled “Seasonality Study”.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D. R. White and ordered to lie on the Table and to be printed.

The Honourable M. A. Birrell moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

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

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

Superannuation Board—Report and financial statements for the year 1986–87.

Superannuation Fund—Report of the Fifteenth Investigation as at 30 June 1986.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notice of Motion, Business to take Precedence, and Notices of Motion, General Business, Nos. 1 to 14 inclusive, be postponed until later this day.
- 6 **URBAN OPEN SPACE**—The Honourable Marie Tehan moved, That this House condemns the Government for its disregard of conservation and environmental values within Melbourne and its environs, and for the continual selling off and redevelopment of public land without regard to the vital need for the protection and creation of urban open space.

Debate ensued.

Question—put.

The Council divided.

AYES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan (*Teller*)
 Rosemary Varty (*Teller*)
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford (*Teller*)
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

- 7 **EAST GIPPSLAND FOREST AREAS**—The Honourable D. M. Evans moved, That this House endorses the Government's call for expressions of interest in the establishment of a pulp mill in East Gippsland, but recognises the deficiencies in balancing resource availability to meet the objectives of the Government's own Timber Industry Strategy and the legitimate needs of the people of East Gippsland, and states that it will not agree to the establishment of any further extensive areas of public land in East Gippsland as National or other parks until an assessment has been made of the

forest areas needed to meet requirements, and to allow a regeneration programme to maintain and expand forest areas.

The Honourable B. W. Mier 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining General Business be postponed until the next day of meeting.

- 9 **AGRICULTURAL ACTS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable R. I. Knowles) 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 **RACING (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable 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.

- 11 **PLANNING AND ENVIRONMENT (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 Honourable G. A. Sgro 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.

- 12 **FIREARMS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read 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—

(1) the Firearms Consultative Committee has inquired into, considered and reported upon its proposals having regard especially to the desirability of—

- enacting legislation similar to the New Zealand Arms Act which places emphasis on education and training as pre-requisites to obtaining a shooter’s licence; and
- abolishing the registration of firearms and permits to purchase; and

(2) the Social Development Committee has reported to the Parliament on its current inquiry into Community Violence.”—

Debate resumed.

And the Council having continued to sit until after 12 midnight—

THURSDAY, 31 MARCH 1988

Debate continued.

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

The Council divided.

AYES, 30

The Hon. M. J. Arnold
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 K. I. M. Wright
 R. S. de Fegely
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. T. Pullen
 N. B. Reid
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam

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, 30

The Hon. M. J. Arnold
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely (*Teller*)
 F. J. Granter
 J. V. C. Guest (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

C. J. Kennedy
J. E. Kirner
R. I. Knowles
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean
R. Macey
B. W. Mier
J. G. Miles
B. T. Pullen
N. B. Reid
G. A. Sgro
Haddon Storey
Marie Tehan
C. F. Van Buren
Evan Walker
H. R. Ward
D. R. White

And so it was resolved in the affirmative—Bill read a second time.

Ordered—That the Bill be committed to a Committee of the whole on the next day of meeting.

13 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 12 April 1988.

Question—put and resolved in the affirmative.

And then the Council, at 12.34 a.m., adjourned until Tuesday, 12 April 1988.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act 1958*, the *Firearms (Prohibited Weapons) Regulations 1988* (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 10 sitting days remain for resolving***]

**** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.**

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 FIREARMS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—To be committed.
- 2 MEDICAL TREATMENT BILL (No. 2)—(Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 3 CRIMES (COMPUTERS) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 4 AGRICULTURAL ACTS (AMENDMENT) BILL (No. 2)—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- 5 RACING (AMENDMENT) BILL (No. 2)—(Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 6 CANCER (AMENDMENT) BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 7 GROCERY PRICES (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. G. P. Connard).
- 8 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 9 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 10 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 11 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.

- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:

(a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council

after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;

- (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
- (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

11 THE HON. R. M. HALLAM—To move, That this House registers its grave concern at the impact of the new formula for distribution of revenue assistance grants to local government, and calls upon the Government to seek an amendment to the formula, and its interpretation, with the specific objective of alleviating the plight of rural municipalities.

12 THE HON. A. J. HUNT—To move, That this House acknowledges the widespread and increasing community concern about the growing problem of algal bloom in the Gippsland Lakes and calls upon the Government to immediately set up a Committee with suitable scientific qualifications to assess—

- (a) the present and probable effects of the bloom upon the Lakes and their ecology and its implications for all sections of the community;
- (b) all the available information as to the cause of the algal bloom;
- (c) the effect of the Thomson Dam on algal bloom;
- (d) whether the release of further water would remove the bloom;
- (e) what other steps could be taken to halt and remove the bloom and to eliminate or mitigate its adverse effects and implications; and
- (f) the steps necessary to ensure a properly co-ordinated approach to the resolution of the problem—

and requests that the report of such Committee be presented to Parliament as soon as is practicable.

13 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Minister for Health for granting the 4 per cent second tier productivity wage increase to hospital employees without first negotiating the productivity savings with the relevant unions, and deplores the subsequent decision to deduct the 4 per cent from payments to hospitals, thereby reducing their efficiency and placing lives at risk.

CONTINGENT NOTICES OF MOTION

- 1 THE HON. B. A. CHAMBERLAIN—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to effect the amendment of the *Crimes (Family Violence) Act 1987* to enable police to search for and seize firearms after complaint for an intervention order and to provide for their subsequent disposal.
- *2 THE HON. R. M. HALLAM—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to provide that where either House of Parliament has disallowed a regulation under section 49 (1A) of the *Firearms Act 1958*, no regulation, being the same in substance as the regulation so disallowed, shall be made within six months after the date of disallowance unless the resolution to disallow has been rescinded by the House of Parliament by which it was passed, and for regulations made in contravention to be void.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).

- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 HARNESS RACING BOARD REPORT, 1986-87—To be considered.
- 20 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1986-87—To be considered.
- 21 CURRICULUM AND ASSESSMENT BOARD REPORT, 1986-87—To be considered.
- 22 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS COMMITTEE REPORTS, 1986-87—To be considered.
- 23 FILM VICTORIA REPORT, 1986-87—To be considered.
- 24 GRAIN ELEVATORS BOARD REPORT, 1986-87—To be considered.
- 25 INSTITUTE OF MARINE SCIENCES REPORTS, 1984 to 1986—To be considered.
- 26 POLICE COMPLAINTS AUTHORITY — SPECIAL REPORT, PURSUANT TO SECTION 86I (2) OF THE POLICE REGULATION ACT 1958—To be considered.
- 27 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1986-87—To be considered.
- 28 PUBLIC RECORD OFFICE REPORT, 1986-87—To be considered.
- 29 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 30 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1986—To be considered.
- 31 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).
- 32 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND TRUSTEES' REPORT, 1986-87—To be considered.
- 33 FREEDOM OF INFORMATION ACT 1982—REPORT ON OPERATION, 1986-87—To be considered.

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- 34 LEGAL PROFESSION PRACTICE ACT 1958—LAY OBSERVER'S REPORT, 1986—
To be considered.
- 35 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT,
1986-87—To be considered.
- 36 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1986-87—To
be considered.
- *37 RESEARCH PRACTICES OF DR ASHOKA PRASAD—COMMITTEE OF INQUIRY'S
SUMMARY OF RESOLUTIONS—To be considered.
- *38 PORT OF GEELONG AUTHORITY ACCOUNTS, 1986-87—To be considered.
- *39 SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- *40 SUPERANNUATION FUND—FIFTEENTH INVESTIGATION REPORT AS AT 30
JUNE 1986—To be considered.
- *41 EAST GIPPSLAND FOREST AREAS—Motion endorsing call for expressions of
interest in pulp mill, recognising deficiencies in balancing resource availability
and local needs, and not condoning the establishment of further areas of
public land as parks pending assessment of forest areas—(*Hon. D. M.
Evans*)—*Resumption of debate. (Hon. B. W. Mier).*

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Cocksedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act* 1958, the *Firearms (Prohibited Weapons) Regulations* 1988 (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 9 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.
- 11 **THE HON. R. M. HALLAM**—To move, That this House registers its grave concern at the impact of the new formula for distribution of revenue assistance grants to local government, and calls upon the Government to seek an amendment to the formula, and its interpretation, with the specific objective of alleviating the plight of rural municipalities.

12 THE HON. A. J. HUNT—To move, That this House acknowledges the widespread and increasing community concern about the growing problem of algal bloom in the Gippsland Lakes and calls upon the Government to immediately set up a Committee with suitable scientific qualifications to assess—

- (a) the present and probable effects of the bloom upon the Lakes and their ecology and its implications for all sections of the community;
- (b) all the available information as to the cause of the algal bloom;
- (c) the effect of the Thomson Dam on algal bloom;
- (d) whether the release of further water would remove the bloom;
- (e) what other steps could be taken to halt and remove the bloom and to eliminate or mitigate its adverse effects and implications; and
- (f) the steps necessary to ensure a properly co-ordinated approach to the resolution of the problem—

and requests that the report of such Committee be presented to Parliament as soon as is practicable.

13 THE HON. K. I. M. WRIGHT—To move, That this House condemns the Minister for Health for granting the 4 per cent second tier productivity wage increase to hospital employees without first negotiating the productivity savings with the relevant unions, and deplores the subsequent decision to deduct the 4 per cent from payments to hospitals, thereby reducing their efficiency and placing lives at risk.

CONTINGENT NOTICES OF MOTION

- 1 THE HON. B. A. CHAMBERLAIN—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to effect the amendment of the *Crimes (Family Violence) Act 1987* to enable police to search for and seize firearms after complaint for an intervention order and to provide for their subsequent disposal.
- 2 THE HON. R. M. HALLAM—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to provide that where either House of Parliament has disallowed a regulation under section 49 (1A) of the *Firearms Act 1958*, no regulation, being the same in substance as the regulation so disallowed, shall be made within six months after the date of disallowance unless the resolution to disallow has been rescinded by the House of Parliament by which it was passed, and for regulations made in contravention to be void.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(Hon. B. A. Chamberlain)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).

- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—Resumption of debate. (Hon. J. V. C. Guest).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—Resumption of debate. (Hon. R. I. Knowles).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—Resumption of debate. (Hon. M. J. Sandon).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. B. P. Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—Resumption of debate. (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. H. R. Ward).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—Resumption of debate. (Hon. N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 ALBURY-WODONGA (VICTORIA) CORPORATION REPORT, 1986-87—To be considered.
- 20 CURRICULUM AND ASSESSMENT BOARD REPORT, 1986-87—To be considered.
- 21 DENTAL BOARD AND SPECIALIST PRACTITIONERS QUALIFICATIONS COMMITTEE REPORTS, 1986-87—To be considered.
- 22 FILM VICTORIA REPORT, 1986-87—To be considered.
- 23 GRAIN ELEVATORS BOARD REPORT, 1986-87—To be considered.

- 24 INSTITUTE OF MARINE SCIENCES REPORTS, 1984 to 1986—To be considered.
- 25 POLICE COMPLAINTS AUTHORITY — SPECIAL REPORT, PURSUANT TO SECTION 86I (2) OF THE POLICE REGULATION ACT 1958—To be considered.
- 26 PORT OF PORTLAND AUTHORITY ACCOUNTS, 1986-87—To be considered.
- 27 PUBLIC RECORD OFFICE REPORT, 1986-87—To be considered.
- 28 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 29 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1986—To be considered.
- 30 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 31 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND TRUSTEES' REPORT, 1986-87—To be considered.
- 32 FREEDOM OF INFORMATION ACT 1982—REPORT ON OPERATION, 1986-87—To be considered.
- 33 LEGAL PROFESSION PRACTICE ACT 1958—LAY OBSERVER'S REPORT, 1986—To be considered.
- 34 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 35 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1986-87—To be considered.
- 36 RESEARCH PRACTICES OF DR ASHOKA PRASAD—COMMITTEE OF INQUIRY'S SUMMARY OF RESOLUTIONS—To be considered.
- 37 PORT OF GEELONG AUTHORITY ACCOUNTS, 1986-87—To be considered.
- 38 SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 39 SUPERANNUATION FUND—FIFTEENTH INVESTIGATION REPORT AS AT 30 JUNE 1986—To be considered.
- 40 EAST GIPPSLAND FOREST AREAS—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. B. W. Mier*).
- *41 COUNTY COURT JUDGES' REPORT, 1986-87—To be considered.
- *42 NATIONAL CRIME AUTHORITY REPORT, 1986-87—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 MARINE BILL—(*from Assembly—Hon. J. H. Kennan*)—Second reading.
- 2 FIREARMS (AMENDMENT) BILL (No. 2)—(*from Assembly—Hon. J. E. Kirner*)—To be committed.
- 3 MEDICAL TREATMENT BILL (No. 2)—(*Hon. J. H. Kennan*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- 4 AGRICULTURAL ACTS (AMENDMENT) BILL (No. 2)—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. R. I. Knowles*).

- 5 **GROCERY PRICES (AMENDMENT) BILL**—(from Assembly—Hon. Evan Walker)—
Second reading—Resumption of debate. (Hon. G. P. Connard).
- *†6 **LOCAL GOVERNMENT BILL**—(from Assembly—Hon. C. J. Hogg)—Second
reading—Resumption of debate. (Hon. R. Macey).
- *†7 **LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL**—(from
Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon.
R. Macey).
- *†8 **CONSTITUTION (LOCAL GOVERNMENT) BILL**—(from Assembly—Hon. C. J.
Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- *9 **SUBDIVISION BILL**—(from Assembly—Hon. Evan Walker)—Second reading—
Resumption of debate. (Hon. A. J. Hunt).
- 10 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL** (from
Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon.
Haddon Storey).
- 11 **ESTATE AGENTS (AMENDMENT) BILL**—(Hon. Evan Walker)—Second
reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 12 **VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL**—(from Assembly—Hon.
C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 13 **LORD MAYOR'S COMMUNITY AID BILL**—(Hon. D. R. White)—Second
reading—Resumption of debate. (Hon. M. A. Lyster).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

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Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 46 and 47

No. 46—Tuesday, 12 April 1988

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor informing the Council that he had, on 31 March 1988, given the Royal Assent to the undermentioned Acts presented to him by the Clerk of the Parliaments:

Exhibition (Amendment) Act

Victorian Relief Committee (Amendment) Act

Fisheries (Abalone) (Amendment) Act.

- 3 **LOCAL GOVERNMENT BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to reform the law relating to local government in Victoria*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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 **LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to repeal certain Acts and to make amendments to certain other Acts consequent on the enactment of the 'Local Government Act 1988' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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 **CONSTITUTION (LOCAL GOVERNMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Constitution Act 1975' with respect to local government in Victoria*" and desiring the concurrence of the Council therein.

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

- 6 **ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE**—The Honourable M. J. Arnold moved, by leave, That this House notes with concern comments made by the Honourable M. A. Birrell prejudging the outcome of the Select Committee on Electoral Reform and Nunawading Re-election and resolves, pursuant to Standing Order 197, that the Honourable M. A. Birrell be discharged from attending the Select Committee on Electoral Reform and Nunawading Re-election.

Debate ensued.

Question—put.

The Council divided.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 Evan Walker
 D. R. White

NOES, 22

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt (*Teller*)
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

- 7 **PETITION—FLORA AND FAUNA GUARANTEE BILL**—The Honourable Marie Tehan presented a Petition from certain citizens of Victoria praying for the passing, this Session, of the Flora and Fauna Guarantee Bill, and that any amendments be directed towards strengthening the powers of protection rather than limiting the range of species and communities protected under the Act.

Ordered to lie on the Table.

8 **PAPERS—**

COUNTY COURT JUDGES—The Honourable Evan Walker presented, by command of His Excellency the Governor, the Report of the County Court Judges for the year 1986–87.

Ordered to lie on the Table.

The Honourable B. A. Chamberlain moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

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

National Crime Authority—Report for the year 1986–87.

Planning and Environment Act 1987—Notices of approval of the following amendments to planning schemes:

Geelong Regional Planning Scheme—Amendment R 2.

Portland (City) Planning Scheme—Amendment L 1.

Statutory Rules under the following Acts of Parliament:

Dandenong Valley Authority Act 1963—No. 106.

Firearms Act 1958—No. 105.

Fisheries Act 1968—No. 103.

Forests Act 1958—No. 102.

Hospitals and Charities Act 1958—No. 104.

Public Service Act 1974—PSD Nos 4 and 6 to 13.

Seeds Act 1982—No. 101.

The Honourable Haddon Storey 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 **PLANNING AND ENVIRONMENT (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 one of the amendments made by the Council in this Bill; have agreed to another and have made a consequential amendment; and have disagreed with the remaining amendment but have made an amendment in the Bill, and desiring the concurrence of the Council therein.

Ordered—That the Message be taken into consideration later this day.

- 10 **SUBDIVISION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to the subdivision of land and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg (for the Honourable Evan Walker), 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notice of Motion, Business to take Precedence, and Orders of the Day, Government Business, Nos. 1 to 4 inclusive, be postponed until later this day.

- 12 **RACING (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put 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 Honourable M. J. Arnold 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 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.

- 13 **PLANNING AND ENVIRONMENT (AMENDMENT) BILL**—The Order of the Day having been read for the consideration of the Message from the Assembly relating to amendments made by the Council in this Bill (see item 9 *ante*)—

The amendments remaining for consideration by the Council were read and are as follows:

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
* *	* *
<p>No. 2 Clause 7, page 4, after line 16 insert— “(6) If— (a) before the commencement of Item 131 in the Schedule, a responsible authority had refused an application for a permit made under the <i>Town and Country Planning Act 1961</i> or had imposed conditions on the grant of such a permit; and (b) an appeal against the refusal or the conditions had not been lodged under that Act before that commencement and had not been lodged under this section before the enactment of the <i>Planning and Environment (Amendment) Act 1988</i> and the time for so lodging expired on or after that commencement and before that enactment— an appeal may be made to the Administrative Appeals Tribunal against that refusal or those conditions as if the application had been made under this Act and the date of the refusal or imposing of the conditions had been the date of commencement of Item 131 in the Schedule.”.</p>	<p>Agreed to, and the following consequential amendment made in the Bill: Clause 7, page 4, line 13, omit “sub-section (3) or (4)” and insert “sub-section (3), (4) or (6)”.</p>
<p>No. 3 <i>Insert the following new clause to follow clause 10:</i> Planning schemes. “A. Despite anything to the contrary in the Principal Act, a planning scheme approved or purporting to have been approved under the Principal Act on 16 February 1988 is deemed to have been duly approved under the Principal Act.”.</p>	<p>Disagreed with, but the following amendment made in the Bill: <i>‘Insert the following new clause to follow clause 10:</i> Planning schemes. “(1) Despite anything to the contrary in the Principal Act, any planning scheme prepared, adopted or approved or purporting to have been prepared, adopted or approved by the Minister on 16 February 1988 must be taken to have been duly prepared, adopted and approved in accordance with all of the requirements of the Principal Act and the regulations made under the Principal Act and to be valid and effective in all respects. (2) A planning scheme referred to in sub-section (1) must not be called into question in any proceeding in any court or tribunal or in any proceeding by way of review under the Principal Act. (3) A planning scheme referred to in sub-section (1) must be taken to have come into operation at the beginning of 16 February 1988.</p>

Amendments made by the Legislative Council How dealt with by the Legislative Assembly

(4) The following must not be called into question in any proceeding in any court or tribunal or in any proceeding by way of review under the Principal Act on the ground of any non-compliance or alleged non-compliance with the provisions of the Principal Act:

- (a) A planning scheme or order made or approved under the *Town and Country Planning Act 1961* after the commencement of section 4 of the Principal Act and before 16 February 1988;
- (b) Any amendment approved after the commencement of section 4 of the Principal Act and before 16 February 1988 to a planning scheme or order;
- (c) Any determination made after the commencement of section 4 of the Principal Act and before 16 February 1988 under or in relation to a planning scheme or order.

(5) Nothing in this section precludes either House of the Parliament from exercising the power conferred on it by section 38 of the Principal Act.”’

The Honourable Evan Walker moved, That the consequential amendment made by the Assembly on the consideration of Amendment No. 2 be agreed to, and that the Council do not insist on Amendment No. 3 disagreed with by the Assembly, but agree to the amendment now made by the Assembly in the Bill.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

- 14 **CANCER (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, read a third time and passed.

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

- 15 **CRIMES (COMPUTERS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 16 **SUBDIVISION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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.

- 17 **LOCAL GOVERNMENT BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable R. Macey 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.

- 18 **LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable R. Macey 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 **CONSTITUTION (LOCAL GOVERNMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable R. Macey 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 **COGNATE BILLS**—The Honourable C. J. Hogg moved, by leave, That this House authorizes and requires the Honourable the President to permit the second reading debate on the Local Government Bill, the Local Government (Consequential Provisions) Bill and the Constitution (Local Government) Bill to be taken concurrently upon the Order of the Day for the resumption of the debate on any one of them being read.

Question—put and resolved in the affirmative.

- 21 **MARINE BILL**—The Deputy 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 registration and operation of vessels and the pollution of State waters, to implement certain international conventions, to repeal the 'Marine Act 1958', the 'Motor Boating Act 1961', the 'Navigable Waters (Oil Pollution) Act 1960' and the 'Harbor Boards Act 1958' and to amend the 'Port of Melbourne Authority Act 1958', the 'Port of Geelong Authority Act 1958', the 'Port of Portland Authority Act 1958' and certain other Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable J. H. Kennan, 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 Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.11 p.m., adjourned until tomorrow.

R. K. EVANS
Clerk of the Legislative Council

No. 47—Wednesday, 13 April 1988

- 1 The President took the Chair and read the Prayer.
- 2 **ACCIDENT COMPENSATION (DISCLOSURE OF INFORMATION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Accident Compensation Act 1985' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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—SCHOOL MEDICAL SERVICE**—The Honourable C. J. Kennedy presented a Petition from certain citizens of Victoria praying that the Government continue to provide and fund school medical service facilities for pre-school children.

Ordered to lie on the Table.

- 4 **MINISTERIAL STATEMENT—ROAD TOLL**—The Honourable J. H. Kennan made a Ministerial Statement on the Government's strategy to reduce the road toll.

The Honourable R. Lawson moved, That the statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 5 **BUSINESS POSTPONED**—

Ordered—That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.

- 6 **ALGAL BLOOM, GIPPSLAND LAKES**—The Honourable A. J. Hunt moved, That this House acknowledges the widespread and increasing community concern about the growing problem of algal bloom in the Gippsland Lakes and calls upon the Government to immediately set up a Committee with suitable scientific qualifications to assess—

- (a) the present and probable effects of the bloom upon the Lakes and their ecology and its implications for all sections of the community;
- (b) all the available information as to the cause of the algal bloom;
- (c) the effect of the Thomson Dam on algal bloom;
- (d) whether the release of further water would remove the bloom;
- (e) what other steps could be taken to halt and remove the bloom and to eliminate or mitigate its adverse effects and implications; and
- (f) the steps necessary to ensure a properly co-ordinated approach to the resolution of the problem—

and requests that the report of such Committee be presented to Parliament as soon as is practicable.

Debate ensued.

The Honourable R. J. Long moved, as amendments, That "Committee" (where first occurring) be omitted with the view to inserting in place thereof "small working party", and that "Committee" (where second occurring) be omitted with the view to inserting in place thereof "working party".

Debate ensued.

The Honourable J. E. Kirner 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.

- 7 **HOSPITAL EMPLOYEES' WAGE INCREASE**—The Honourable K. I. M. Wright moved, That this House condemns the Minister for Health for granting the 4 per cent second tier productivity wage increase to hospital employees without first negotiating the productivity savings with the relevant unions, and deplores the subsequent decision to deduct the 4 per cent from payments to hospitals, thereby reducing their efficiency and placing lives at risk.

The Honourable 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 **LEGAL PROFESSION PRACTICE (INCORPORATION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to make provision for the incorporation of solicitors' practices, 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 Honourable D. R. White (for the Honourable Evan Walker), 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 **WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) (POSTPONEMENT OF EXPIRY) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend section 59 of the 'Water and Sewerage Authorities (Restructuring) Act 1983'*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining General Business be postponed until later this day.

- 11 **WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) (POSTPONEMENT OF EXPIRY) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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.

- 12 **ACCIDENT COMPENSATION (DISCLOSURE OF INFORMATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable 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 later this day.

- 13 **LAND (TRANSACTION INFORMATION) 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', the 'Valuation of Land Act 1960', the 'Geelong Waterworks and Sewerage Act 1958', the 'Local Government Act 1958', the 'Melbourne and Metropolitan Board of Works Act 1958', the 'Mildura Irrigation Trusts and Sunraysia Water Board Act 1958', the 'Sewerage Districts Act 1958' and the 'Water Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White (for the Honourable J. H. Kennan), 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.

- 14 **BUILDING CONTROL (GENERAL 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 some of the amendments made by the Council, have disagreed with one of the said amendments, and have agreed to the remaining amendments each with an amendment, and desiring the concurrence of the Council therein.

Ordered—That the Message be taken into consideration later this day.

- 15 **NATIONAL PARKS AND WILDLIFE (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 one of the amendments made by the Council, and have agreed to the remaining amendment with amendments, and desiring the concurrence of the Council therein.

Ordered—That the Message be taken into consideration forthwith.

The amendment agreed to by the Assembly with amendments was read, and is as follows:

<i>Amendment made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
<p>No. 1 Clause 8, page 4, lines 33 to 39, omit all words and expressions on these lines and insert—</p> <p>“(3) A notice under sub-section (1) prevails over any inconsistent—</p> <p>(a) regulation made under this Act; or</p> <p>(b) licence, permit or other authority to take destroy or hunt any particular kind or species of wildlife issued under this Act.</p> <p>(4) At least 72 hours before publishing a notice under sub-section (1), the Minister must publish a notice in a newspaper circulating generally in the area likely to be affected by the notice under sub-section (1) stating that he or she intends to publish that notice.</p>	<p>Agreed to, with the following amendments:</p> <p>1. Omit proposed sub-clause (5) and insert—</p> <p>“(5) Sections 5, 6 and 6A of the <i>Subordinate Legislation Act 1962</i> apply to a notice under sub-section (1) as if that notice were a statutory rule within the meaning of that Act.</p> <p>(6) A reference in section 5 (1) of the <i>Subordinate Legislation Act 1962</i> to the publication of notice of the making of a statutory rule must be read for the purposes of this section as a reference to the publication of the notice under sub-section (1).”.</p> <p>2. Omit “(6)” and insert “(7)”.</p> <p>3. Omit “(7)” and insert “(8)”.</p>

Amendment made by the Legislative Council *How dealt with by the Legislative Assembly*

(5) A notice under sub-section (1) is a statutory rule within the meaning of the *Subordinate Legislation Act 1962*.

(6) A notice under sub-section (1) may be disallowed in whole or in part by a resolution of either House of Parliament made in accordance with section 6 (2) of the *Subordinate Legislation Act 1962*.

(7) Disallowance of a notice under sub-section (5) is deemed to be disallowance by Parliament for the purposes of the *Subordinate Legislation Act 1962*.”.

* * * *

The Honourable J. E. Kirner moved, That the Council agree to the amendments made by the Assembly to Amendment No. 1 made by the Council in this Bill.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

- 16 **LAND (GOONAWARRA GOLF COURSE) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to authorise the sale of the Goonawarra Golf Course, to provide for the legal effect of certain documents and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable J. G. Miles 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 **BUILDING CONTROL (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the consideration of the Message from the Assembly relating to amendments made by the Council in this Bill (see item 14 *ante*)—

The amendments remaining for consideration by the Council were read and are as follows:

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
No. 1 Clause 2, line 11, omit “8, 9, 14, 20, 26 and 27” and insert “9, 10, 13, 16, 22, 28 and 29”.	Agreed to, with the following amendment: Omit “9, 10, 13, 16, 22, 28 and 29” and insert “8, 9, 15, 21, 27 and 28”.
No. 2 Clause 2, line 13, omit “8, 9, 14 and 20” and insert “8, 9, 10, 16 and 22”.	Agreed to, with the following amendment: Omit “8, 9, 10, 16 and 22” and insert “8, 9, 15 and 21”.
No. 3 Clause 2, line 15, omit “26 and 27” and insert “28 and 29”.	Agreed to, with the following amendment: Omit “28 and 29” and insert “27 and 28”.

*Amendments made by the Legislative Council**How dealt with by the Legislative Assembly*

No. 4 Clause 8, lines 29 to 37, omit all words and expressions on these lines and insert—

“(6A) At the time of lodging an application, an applicant may inform the Co-ordinator that he or she wishes to obtain the certificate of a person holding a current certificate issued under section 118A in place of the consent of a specified relevant authority.

(6B) A person holding a current certificate under section 118A may certify that an application complies with the requirements of a relevant authority and any law governing, or administered by, the relevant authority.

(6C) The person providing the certificate must not exercise, or purport to exercise, any discretion of a relevant authority other than a discretion declared by the building regulations to be a discretion exercisable by a person holding a current certificate under section 118A.

(6D) A person providing a certificate must—

(a) state on the certificate whether or not an application still requires the relevant authority to exercise a discretion; and

(b) comply with any prescribed requirements concerning the certificate or the provision of the certificate.

(6E) If a certificate states that a discretion still has to be exercised, an applicant may send the certificate with the application for consent to the relevant authority and the relevant authority must consider the application as if it had been made under sub-section (6).

(6F) If a certificate states that no further discretion has to be exercised by the relevant authority, the certificate may be used in place of the consent of the relevant authority.”; and’.

Agreed to, with the following amendment:

In proposed sub-clause (6C), omit “of a relevant authority other than a discretion declared by the building regulations to be a discretion exercisable by a person holding a current certificate under section 118A” and insert “which the building regulations state is only to be exercised by a relevant authority”.

Amendments made by the Legislative Council *How dealt with by the Legislative Assembly*

No. 10 *Insert the following new clause to follow clause 7:* Disagreed with.

Change to application of building regulations to the Crown.

'A. In section 17 of the Principal Act—

(a) for sub-sections (2) and (3) substitute—

“(2) A government department, public authority or council may apply for a direction under sub-section (3) or (3B).

(3) The Minister may direct a Co-ordinator or a relevant authority to refer to the Minister an application for building approval or the consent of the relevant authority by a government department, public authority of council if—

(a) not less than 21 days have elapsed since the application was lodged; and

(b) the Minister has consulted with the Co-ordinator or the relevant authority (as the case may be); and

(c) the Minister considers that the over-riding interests of the State require that the application be so referred.

(3A) The Co-ordinator and the relevant authority must comply with the direction and must not proceed further with the application.

(3B) Despite sub-section (3), if the Governor in Council considers that in the interests of security the plans or other documents relating to any proposed Crown building work should not be made public, the Governor in Council may direct that the application for building approval, or the consent of a relevant authority, with respect to the building work be lodged with the Governor in Council rather than with a Co-ordinator or relevant authority—

(f) any other requirements of this Act and the building regulations have been complied with—

Amendments made by the Legislative Council How dealt with by the Legislative Assembly

the Co-ordinator must give the applicant written notice that building approval is to be granted and the names of all adjoining owners who made a written submission concerning the application.

(16B) The applicant must cause to be given to all the adjoining owners named in the notice provided by the Co-ordinator notice in the prescribed form that building approval is to be granted to the applicant.

(16C) If the Co-ordinator—

- (a) is satisfied that sub-section (16B) has been complied with; and
- (b) has not received written notice of appeal under section 53 within 7 days of the last notice being given under sub-section (16B)—

the Co-ordinator must grant building approval.

(16D) The Co-ordinator may require a statutory declaration from an applicant for the purposes of sub-sections (16) (a) (ii), (16A) (d) and (16C) (a).

(16E) Despite anything in section 53 (2), an adjoining owner may lodge an appeal under section 53 at any time if the owner did not receive—

- (a) notice of an application, if the regulations required notice to be given to the owner; or
- (b) notice under sub-section (16B).

(16F) An owner of an adjoining property may lodge an appeal under section 53 (2) before receiving notice under sub-section (16B).

(16G) If an appeal under section 53 (2) is brought after building approval has been granted, the Building Referees Board may determine the matter as if building approval had not been granted.”

Amendments made by the Legislative Council How dealt with by the Legislative Assembly.

(3C) Any drawings or specifications lodged with the Governor in Council must be certified by a qualified building surveyor to the effect that they comply with the building regulations.

(3D) The Governor in Council or the Minister may grant any application referred to the Governor in Council or the Minister, with or without conditions.

(3E) A determination by the Governor in Council or the Minister is final and is not subject to review or appeal except in the Supreme Court on a question of law.

(3F) Subject to sub-section (3C), the granting of building approval or consent by the Governor in Council or the Minister has effect as if it were made by the Co-ordinator or the relevant authority (as the case may be).".

* * * *

The Honourable Evan Walker moved, That the Council agree to the amendments made by the Assembly to Amendments Nos. 1 to 3.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the Council agree to the amendment made by the Assembly to Amendment No. 4.

Debate ensued.

The Honourable 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 later this day.

- 18 **LAND (GOONAWARRA GOLF COURSE) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **LAND (TRANSACTION INFORMATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable 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.

20 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 10.27 p.m., adjourned until Tuesday next.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act 1958*, the *Firearms (Prohibited Weapons) Regulations 1988* (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 8 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

NOTICE OF MOTION

- *1 THE HON. EVAN WALKER—To move, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of May and that, until the end of May, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of General business.

ORDERS OF THE DAY

- 1 MARINE BILL—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *2 LEGAL PROFESSION PRACTICE (INCORPORATION) BILL—(from Assembly—Hon. Evan Walker)—Second reading.
- 3 FIREARMS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—To be committed.
- 4 MEDICAL TREATMENT BILL (No. 2)—(Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 5 AGRICULTURAL ACTS (AMENDMENT) BILL (No. 2)—(Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. R. I. Knowles).
- †6 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. Macey).
- †7 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. Macey).
- †8 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. R. Macey).
- *9 BUILDING CONTROL (GENERAL AMENDMENT) BILL—Motion to agree to amendment made by Assembly to amendment No. 4 of the Council—(Hon. Evan Walker)—*Resumption of debate.* (Hon. W. R. Baxter).

* Indicates new entry.

† Cognate Bills—To be debated concurrently pursuant to Order of the Council on 12 April 1988.

- *10 ACCIDENT COMPENSATION (DISCLOSURE OF INFORMATION) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. H. R. Ward).
- 11 SUBDIVISION BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- *12 LAND (TRANSACTION INFORMATION) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. J. Long).
- *13 WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) (POSTPONEMENT OF EXPIRY) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. J. Long).
- 14 GROCERY PRICES (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. G. P. Connard).
- 15 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 16 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 17 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 18 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.

- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the

direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

- 11 **THE HON. R. M. HALLAM**—To move, That this House registers its grave concern at the impact of the new formula for distribution of revenue assistance grants to local government, and calls upon the Government to seek an amendment to the formula, and its interpretation, with the specific objective of alleviating the plight of rural municipalities.

CONTINGENT NOTICES OF MOTION

- 1 **THE HON. B. A. CHAMBERLAIN**—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to effect the amendment of the *Crimes (Family Violence) Act 1987* to enable police to search for and seize firearms after complaint for an intervention order and to provide for their subsequent disposal.
- §2 **THE HON. R. M. HALLAM**—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to provide that where either House of Parliament has disallowed a regulation under section 49 (1A) of the *Firearms Act 1958*, no regulation, being the same in substance as the regulation so disallowed, shall be made within six months after the date of disallowance unless the resolution to disallow has been rescinded by the House of Parliament by which it was passed, and for regulations made in contravention to be void and for a further new clause to make provision as to the membership of the Firearms Consultative Committee.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).

- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. B. P. Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—Resumption of debate. (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. H. R. Ward).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—Resumption of debate. (Hon. N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 20 REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1959—ABSTRACT OF BIRTHS, STILLBIRTHS, DEATHS AND MARRIAGES, 1986—To be considered.
- 21 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(Hon. K. I. M. Wright)—Resumption of debate. (Hon. D. R. White).
- 22 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND TRUSTEES' REPORT, 1986-87—To be considered.
- 23 FREEDOM OF INFORMATION ACT 1982—REPORT ON OPERATION, 1986-87—To be considered.
- 24 LEGAL PROFESSION PRACTICE ACT 1958—LAY OBSERVER'S REPORT, 1986—To be considered.
- 25 METROPOLITAN FIRE BRIGADES SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 26 STATE CLASSIFICATION OF PUBLICATIONS BOARD REPORT, 1986-87—To be considered.
- 27 RESEARCH PRACTICES OF DR ASHOKA PRASAD—COMMITTEE OF INQUIRY'S SUMMARY OF RESOLUTIONS—To be considered.
- 28 PORT OF GEELONG AUTHORITY ACCOUNTS, 1986-87—To be considered.

- 29 SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 30 SUPERANNUATION FUND—FIFTEENTH INVESTIGATION REPORT AS AT 30 JUNE 1986—To be considered.
- 31 EAST GIPPSLAND FOREST AREAS—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. B. W. Mier*).
- 32 COUNTY COURT JUDGES' REPORT, 1986-87—To be considered.
- 33 NATIONAL CRIME AUTHORITY REPORT, 1986-87—To be considered.
- *34 ROAD TOLL—MINISTERIAL STATEMENT—To be considered.
- *35 ALGAL BLOOM, GIPPSLAND LAKES—Motion acknowledging community concern of algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(*Hon. A. J. Hunt*) and amendment of the Hon. R. J. Long—*Resumption of debate.* (*Hon. J. E. Kirner*).
- *36 HOSPITAL EMPLOYEES' WAGE INCREASE—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act 1958*, the *Firearms (Prohibited Weapons) Regulations 1988* (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 7 sitting days remain for resolving***]

****** *Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 RETAIL TENANCIES (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *2 PIPELINES (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *3 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *4 HEALTH (GENERAL AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 5 FIREARMS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—To be committed.
- 6 BUILDING CONTROL (GENERAL AMENDMENT) BILL—Motion to agree to amendment made by Assembly to amendment No. 4 of the Council—(Hon. Evan Walker)—Resumption of debate. (Hon. H. R. Ward).
- 7 MEDICAL TREATMENT BILL (No. 2)—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. D. R. White).
- 8 AGRICULTURAL ACTS (AMENDMENT) BILL (No. 2)—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. I. Knowles).
- †9 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- †10 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- †11 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- *12 GROCERY PRICES BILL (No. 2)—(Hon. C. J. Hogg)—Second reading.
- 13 GROCERY PRICES (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. G. P. Connard).

* Indicates new entry.

† Cognate Bills—To be debated concurrently pursuant to Order of the Council on 12 April 1988.

- ¶*14 SUPPLY (1988-89, No. 1) BILL—(from Assembly—Hon. D. R. White)—(Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- ¶*15 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL (No. 2)—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 16 MARINE BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 17 LEGAL PROFESSION PRACTICE (INCORPORATION) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- *18 ENERGY CONSUMPTION LEVY (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- *19 STAMPS (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 20 SUBDIVISION BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 21 LAND (TRANSACTION INFORMATION) BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. J. Long).
- 22 WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) (POSTPONEMENT OF EXPIRY) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. R. J. Long).
- 23 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 24 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 25 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 26 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
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- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
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- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

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CONTINGENT NOTICES OF MOTION

- 1 THE HON. B. A. CHAMBERLAIN—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to effect the amendment of the *Crimes (Family Violence) Act 1987* to enable police to search for and seize firearms after complaint for an intervention order and to provide for their subsequent disposal.
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- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for
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- 21 PARLIAMENTARY CONTRIBUTORY SUPERANNUATION FUND TRUSTEES'
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to hospitals—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R.
White).
- *36 OMBUDSMAN'S REPORT, 1986–87—To be considered.
- *37 REMUNERATION FOR VISITING MEDICAL STAFF AT PUBLIC HOSPITALS—
MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S
RECOMMENDATIONS—To be considered.
- *38 LABOUR MARKET STUDY FOR RADIOLOGISTS—MINISTER'S RESPONSE TO
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To be considered.
- *39 POULTRY FARMER LICENSING COMMITTEE REPORT, 1986–87—To be
considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

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MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

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LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act* 1958, the *Firearms (Prohibited Weapons) Regulations* 1988 (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 6 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 PIPELINES (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 2 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 3 HEALTH (GENERAL AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *4 ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 3)—(from Assembly—Hon. Evan Walker)—Second reading.
- *5 CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—Second reading.
- 6 SUBDIVISION BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. A. J. Hunt).
- 7 FIREARMS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—To be committed.
- 8 MARINE BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 9 LEGAL PROFESSION PRACTICE (INCORPORATION) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- ¶10 SUPPLY (1988-89, No. 1) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- ¶11 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL (No. 2)—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- †12 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).

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¶ Cognate Bills—To be debated concurrently pursuant to Order of the Council on 19 April 1988.

† Cognate Bills—To be debated concurrently pursuant to Order of the Council on 12 April 1988.

- †13 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- 14 RETAIL TENANCIES (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. G. Miles).
- †15 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. R. Macey).
- 16 MEDICAL TREATMENT BILL (No. 2)—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. D. R. White).
- 17 STAMPS (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- 18 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 19 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 20 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 21 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.

- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the

direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

CONTINGENT NOTICES OF MOTION

- 1 **THE HON. B. A. CHAMBERLAIN**—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to effect the amendment of the *Crimes (Family Violence) Act 1987* to enable police to search for and seize firearms after complaint for an intervention order and to provide for their subsequent disposal.
- 2 **THE HON. R. M. HALLAM**—Contingent upon the Firearms (Amendment) Bill (No. 2) being committed: To move, That it be an instruction to the Committee that they have power to consider a new clause to provide that where either House of Parliament has disallowed a regulation under section 49 (1A) of the *Firearms Act 1958*, no regulation, being the same in substance as the regulation so disallowed, shall be made within six months after the date of disallowance unless the resolution to disallow has been rescinded by the House of Parliament by which it was passed, and for regulations made in contravention to be void and for a further new clause to make provision as to the membership of the Firearms Consultative Committee.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).

- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 20 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 21 RESEARCH PRACTICES OF DR ASHOKA PRASAD—COMMITTEE OF INQUIRY'S SUMMARY OF RESOLUTIONS—To be considered.
- 22 PORT OF GEELONG AUTHORITY ACCOUNTS, 1986-87—To be considered.
- 23 SUPERANNUATION BOARD REPORT, 1986-87—To be considered.
- 24 SUPERANNUATION FUND—FIFTEENTH INVESTIGATION REPORT AS AT 30 JUNE 1986—To be considered.
- 25 EAST GIPPSLAND FOREST AREAS—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. B. W. Mier*).
- 26 COUNTY COURT JUDGES' REPORT, 1986-87—To be considered.
- 27 NATIONAL CRIME AUTHORITY REPORT, 1986-87—To be considered.
- 28 ROAD TOLL—MINISTERIAL STATEMENT—To be considered.
- 29 ALGAL BLOOM, GIPPSLAND LAKES—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(*Hon. A. J. Hunt*) and amendments of the *Hon. R. J. Long*—*Resumption of debate.* (*Hon. J. E. Kirner*).

- 30 **HOSPITAL EMPLOYEES' WAGE INCREASE**—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 31 **OMBUDSMAN'S REPORT, 1986-87**—To be considered.
- 32 **REMUNERATION FOR VISITING MEDICAL STAFF AT PUBLIC HOSPITALS—MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS**—To be considered.
- 33 **LABOUR MARKET STUDY FOR RADIOLOGISTS—MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS**—To be considered.
- 34 **POULTRY FARMER LICENSING COMMITTEE REPORT, 1986-87**—To be considered.
- *35 **BUILDING SOCIETIES REGISTRAR'S REPORT, 1985-86**—To be considered.
- *36 **CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1985-86**—To be considered.
- *37 **CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1985-86**—To be considered.
- *38 **FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1985-86**—To be considered.
- *39 **LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS**—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg*).

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- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act 1958*, the *Firearms (Prohibited Weapons) Regulations 1988* (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 5 sitting days remain for resolving***]
- 2 THE HON. HADDON STOREY—To move, That Regulation 27 of the *Corrections Regulations 1988* (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 11 sitting days remain for resolving***]

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GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 STATE BANK BILL—(from Assembly—Hon. D. R. White)—Second reading.
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- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the

direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

- 11 **THE HON. MARIE TEHAN**—To move, That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry in developing appropriate technological controls, alternative materials and products and initiatives for re-cycling existing CFC's.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).

- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 **TAFE**—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 **1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT**—To be considered.
- 19 **WORKCARE COMMITTEE'S FIRST REPORT**—To be considered.
- 20 **MOSQUITO BREEDING**—Motion condemning Government for inadequate control measures—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 21 **EAST GIPPSLAND FOREST AREAS**—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. B. W. Mier*).
- 22 **COUNTY COURT JUDGES' REPORT, 1986-87**—To be considered.
- 23 **NATIONAL CRIME AUTHORITY REPORT, 1986-87**—To be considered.
- 24 **ROAD TOLL—MINISTERIAL STATEMENT**—To be considered.
- 25 **ALGAL BLOOM, GIPPSLAND LAKES**—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(*Hon. A. J. Hunt*) and amendments of the *Hon. R. J. Long*—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 26 **HOSPITAL EMPLOYEES' WAGE INCREASE**—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 27 **OMBUDSMAN'S REPORT, 1986-87**—To be considered.
- 28 **REMUNERATION FOR VISITING MEDICAL STAFF AT PUBLIC HOSPITALS—MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS**—To be considered.
- 29 **LABOUR MARKET STUDY FOR RADIOLOGISTS—MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS**—To be considered.
- 30 **POULTRY FARMER LICENSING COMMITTEE REPORT, 1986-87**—To be considered.
- 31 **BUILDING SOCIETIES REGISTRAR'S REPORT, 1985-86**—To be considered.
- 32 **CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1985-86**—To be considered.
- 33 **CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1985-86**—To be considered.
- 34 **FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1985-86**—To be considered.

- 35 LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

‡ Wednesday—General business.

‡ No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 48, 49, 50 and 51

No. 48—Tuesday, 19 April 1988

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker 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:

On 15 April 1988—

Planning and Environment (Amendment) Act

On 19 April 1988—

Land (Goonawarra Golf Course) Act

National Parks and Wildlife (Amendment) Act

- 3 **SUPPLY (1988–89, 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 recurrent services and for certain works and purposes for the financial year 1988–89*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make ancillary provisions for certain works and purposes for the financial year 1988–89*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 PETITIONS—

FLORA AND FAUNA GUARANTEE BILL—The Honourable Marie Tehan presented a Petition from certain citizens of Victoria praying for the passing, this Session, of the Flora and Fauna Guarantee Bill, and that any amendments be directed towards strengthening the powers of protection rather than limiting the range of species and communities protected under the Act.

Ordered to lie on the Table.

* * * *

CLARENDON STREET RAILWAY BRIDGE—The Honourable J. V. C. Guest presented a Petition from certain citizens of Victoria praying that the Government desist from its planned demolition of the railway bridge over Clarendon Street, South Melbourne.

Ordered to lie on the Table.

- 6 **GROCERY PRICES BILL (No. 2)**—On the motion (by leave without notice) of the Honourable C. J. Hogg, leave was given to bring in a Bill to make provision for the

regulation of grocery prices and for other purposes, and the said Bill was read a first time and ordered to be printed and, by leave, to be read second time later this day.

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

Ombudsman—Report for the year 1986–87.

Parliamentary Committees Act 1968—Minister's responses to recommendations in Economic and Budget Review Committee's reports upon the Method of Remuneration for Visiting Medical Staff at Public Hospitals and a Labour Market Study for Radiologists (two papers).

Planning and Environment Act 1987—Notices of approval of the following amendments to planning schemes:

Bacchus Marsh Planning Scheme—Amendment L3.

Bairnsdale (Town) Planning Scheme—Amendments L3 and L6.

Bass Planning Scheme—Amendment L3.

Bright Planning Scheme—Amendment L1.

Cranbourne Planning Scheme—Amendments L3 and L4.

Geelong Regional Planning Scheme—Amendment R3.

Gisborne Planning Scheme—Amendment L1.

Kilmore Planning Scheme—Amendment L2.

Latrobe Region Planning Schemes—Amendment R2.

Maffra Planning Scheme—Amendment L1.

Marong Planning Scheme—Amendment L1.

Melbourne Planning Scheme—Amendment L1.

Metropolitan Region Planning Schemes—Amendments R1, RL2, RL3, RL4 and RL14.

Mildura (City) Planning Scheme—Amendment L1.

Mildura (Shire) Planning Scheme—Amendment L2.

Minhamite Planning Scheme—Amendment L1.

Rochester Planning Scheme—Amendment L1.

Strathfieldsaye Planning Scheme—Amendment L3.

Traralgon (City) Planning Scheme—Amendment L13.

Wycheproof Planning Scheme—Amendment L1.

Poultry Farmer Licensing Committee—Report for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

Fisheries Act 1968—Nos. 110 to 112.

Hospitals and Charities Act 1958—No 108.

Racing Act 1958—No. 109.

Tobacco Act 1987—No. 107.

The Honourable H. R. Ward moved, That the Papers tabled by the Clerk, with the exception of notices of approval of amendments to planning schemes and Statutory Rules, be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

8 BUSINESS POSTPONED—Ordered—That the consideration of the Notice of Motion, Business to take Precedence, be postponed until later this day.

9 BUSINESS OF THE HOUSE—The Honourable Evan Walker moved, That so much of the Sessional Orders as requires that no new business be taken after 10.00 p.m. and that General business shall take precedence of Government business on Wednesdays be suspended until the end of May and that, until the end of May, unless otherwise ordered by the House, new business may be taken at any hour and Government business shall take precedence of General business.

Question—put and resolved in the affirmative.

- 10 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 1, be postponed until later this day.
- 11 **LEGAL PROFESSION PRACTICE (INCORPORATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.
- The Honourable 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 later this day.
- 12 **MARINE BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.
- The Honourable R. Lawson 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 **SUPPLY (1988–89, No. 1) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
- The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **COGNATE BILLS**—The Honourable D. R. White moved, by leave, That this House authorizes and requires the Honourable the President to permit the second reading debate on the Supply (1988–89, No. 1) Bill and the Works and Services (Ancillary Provisions, No. 1) Bill (No. 2) to be taken concurrently upon the Order of the Day for the resumption of debate on either of them being read.
- Question—put and resolved in the affirmative.
- 16 **BUSINESS POSTPONED**—Ordered—That the consideration of Order of the Day, Government Business, No. 3, be postponed until later this day.
- 17 **MEDICAL TREATMENT BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—
- Debate resumed.
- The Honourable 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.
- 18 **ENERGY CONSUMPTION LEVY (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to limit the application of the ‘Energy Consumption Levy Act 1982’ to the State Electricity Commission of Victoria and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

- 19 **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 for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **RETAIL TENANCIES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Retail Tenancies Act 1986’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **PIPELINES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Pipelines Act 1967’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

- 22 **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 for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

- 23 **HEALTH (GENERAL AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to make miscellaneous amendments to the ‘Health Act 1958’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 5 to 8 inclusive, be postponed until later this day.

- 25 **BUILDING CONTROL (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the amendment made by the Assembly to Amendment No. 4 of the Council (for amendment see page 282 *ante*)—

Debate resumed.

The Honourable 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 later this day.

- 26 **ACCIDENT COMPENSATION (DISCLOSURE OF INFORMATION) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 27 **ENERGY CONSUMPTION LEVY (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **STAMPS (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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.

- 29 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.22 p.m., adjourned until tomorrow.

R. K. EVANS

Clerk of the Legislative Council

No. 49—Wednesday, 20 April 1988

- 1 The President took the Chair and read the Prayer.

- 2 **PETITION—FLORA AND FAUNA GUARANTEE BILL**—The Honourable C. J. Kennedy presented a Petition from certain citizens of Victoria praying for the passing, this Session, of the Flora and Fauna Guarantee Bill, and that any amendments be directed towards strengthening the powers of protection rather than limiting the range of species and communities protected under the Act.

Ordered to lie on the Table.

- 3 **PAPERS**—

NATURAL RESOURCES AND ENVIRONMENT COMMITTEE—ELECTRICITY SUPPLY AND DEMAND—The Honourable N. B. Reid presented a Report from the Natural Resources and Environment Committee upon Electricity Supply and Demand beyond the Mid-1990s, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

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

Building Societies—Report of the Registrar for the year 1985–86.

Co-operative Housing Societies—Report of the Registrar for the year 1985–86.

Co-operative Societies—Report of the Registrar for the year 1985–86.

Friendly Societies and Benefit Associations—Report of the Government Statist, together with the Report of the Registrar of Friendly Societies, for the year 1985–86.

Planning and Environment Act 1987—Notices of approval of the following amendments to planning schemes:

Melbourne Planning Scheme—Amendment L2.

Mildura (Shire) Planning Scheme—Amendment L1.

Swan Hill (City) Planning Scheme—Amendment L1.

The Honourable Haddon Storey 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.

- 4 **BUSINESS POSTPONED**—Ordered—That the consideration of the Order of the Day, Business to take Precedence, the Orders of the Day, Government Business, and Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.

- 5 **LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS**—The Honourable R. M. Hallam moved, That this House registers its grave concern at the impact of the new formula for distribution of revenue assistance grants to local government, and calls upon the Government to seek an amendment to the formula, and its interpretation, with the specific objective of alleviating the plight of rural municipalities.

Debate ensued.

The Honourable C. J. Hogg 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 **GROCERY PRICES (AMENDMENT) BILL—ORDER DISCHARGED**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

The Honourable Evan Walker moved, That the said Order be discharged.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be withdrawn.

- 7 **GROCERY PRICES BILL (No. 2)**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.

The Honourable H. R. Ward 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 later this day.

- 8 **ENERGY CONSUMPTION LEVY (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **STAMPS (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to the following Resolution:

That it be a suggestion to the Assembly that they make the following amendments in the Bill:

1. Clause 7, line 22, omit “with a view to” and insert “for the principal purpose of”.
2. Clause 7, line 35, omit “with a view to” and insert “for the principal purpose of”.

On the motion of the Honourable D. R. White, 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.

- 10 **ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 3)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Environment Protection Act 1970’ and the ‘Litter Act 1987’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White (for the Honourable Evan Walker), 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 **WATER AND SEWERAGE AUTHORITIES (RESTRUCTURING) (POSTPONEMENT OF EXPIRY) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **LAND (TRANSACTION INFORMATION) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **GROCERY PRICES BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 19

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur (*Teller*)
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

- 14 **AGRICULTURAL ACTS (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable Joan Cocksedge 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 ‘Abattoir and Meat Inspection Act 1973’, the ‘Agricultural Chemicals Act 1958’, the ‘Bees Act 1971’, the ‘Broiler Chicken Industry Act 1978’, the ‘Dairy Industry Act 1984’, the ‘Margarine Act 1975’, the ‘Melbourne Wholesale Fruit and Vegetable Market Trust Act 1977’, the ‘Prevention of Cruelty to Animals Act 1986’, the ‘Stock Diseases Act 1968’, the ‘Tomato Processing Industry Act 1976’ and the ‘Wine Grape Processing Industry Act 1978’”—

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 **CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for *“An Act to amend the ‘Criminal Injuries Compensation Act 1983’ and for other purposes”* and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **BUILDING CONTROL (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree

to the amendment made by the Assembly to Amendment No. 4 of the Council (for amendment see page 282 *ante*)—

Debate resumed.

Question—put.

The Council divided.

AYES, 24

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon (*Teller*)
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 K. I. M. Wright

NOES, 16

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative.

The Honourable Evan Walker moved, That the Council do not insist on Amendment No. 10 with which the Assembly have disagreed (for amendment see page 284 *ante*).

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

- 17 **RETAIL TENANCIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. G. Miles) 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.

And then the Council, at 10.33 p.m., adjourned until tomorrow.

R. K. EVANS
 Clerk of the Legislative Council

No. 50—Thursday, 21 April 1988

- 1 The President took the Chair and read the Prayer.
- 2 **FLORA AND FAUNA GUARANTEE BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for the conservation and management of flora and fauna*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notice of Motion, Business to take Precedence, and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.
- 4 **HEALTH (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable M. A. Birrell 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 **PIPELINES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable Rosemary Varty) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 and 5, be postponed until later this day.

- 7 **SUBDIVISION BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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, after debate, 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.

- 8 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 7 to 9 inclusive, be postponed until later this day.

- 9 **SUPPLY (1988-89, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, No. 1) Bill (No. 2) having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 19 April 1988]—

Debate resumed.

The Honourable H. R. Ward (for the Honourable N. B. Reid) 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 **HEALTH (GENERAL AMENDMENT) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable K. I. M. Wright 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 redrafted to—

- (a) more adequately express the methods of the provision of health services in Victoria and the transfer of duties from the Health Department to local government; and
- (b) make provision for adequate funding to cover the added responsibilities placed on city and shire councils”.

Debate ensued.

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

The Council divided.

AYES, 31

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean
 R. Macey
 B. W. Mier (*Teller*)
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)
 K. I. M. Wright

Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 H. R. Ward
 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 Honourable D. E. Henshaw 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.

- 11 **STATE BANK BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to re-enact the law relating to the State Bank of Victoria and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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.

- 12 **LEGAL PROFESSIONAL PRACTICE (INCORPORATION) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable D. E. Henshaw 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.

- 13 **FLORA AND FAUNA GUARANTEE BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable Marie Tehan 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 **CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan (for the Honourable Evan Walker) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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 later this day.

- 15 **FIREARMS (AMENDMENT) BILL (No. 2)**—This Bill was, according to Order, committed to a Committee of the whole.

The Honourable W. R. Baxter (for the Honourable R. M. Hallam) moved, That it be an instruction to the Committee that they have power to consider a new clause to provide that where either House of Parliament has disallowed a regulation under section 49 (1A) of the *Firearms Act 1958* no regulation, being the same in substance as the regulation so disallowed, shall be made within six months after the date of disallowance unless the resolution to disallow has been rescinded by the House of Parliament by which it was passed, and for regulations made in contravention to be void; and for a further new clause to make provision as to the membership of the Firearms Consultative Committee.

Question—put and resolved in the affirmative.

The Honourable B. A. Chamberlain moved, That it be an instruction to the Committee that they have power to consider a new clause to effect the amendment of the *Crimes (Family Violence) Act 1987* to enable police to search for and seize firearms after complaint for an intervention order and to provide for their subsequent disposal.

Question—put and resolved in the affirmative.

The President left the Chair.

House in Committee.

And having continued to sit until after 12 midnight—

FRIDAY, 22 APRIL 1988

The President resumed the Chair; and the Honourable G. A. Sgro 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 **ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 3)**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable R. Lawson 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 Honourable Evan Walker moved, That the Council, at its rising, adjourn until this day at 11.00 a.m.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 12.49 a.m., adjourned until this day at 11.00 a.m.

No. 51—Friday, 22 April 1988

- 1 The President took the Chair and read the Prayer.
- 2 **PETITIONS—FLORA AND FAUNA GUARANTEE BILL**—The Honourables C. J. Kennedy and Marie Tehan each presented Petitions from certain citizens of Victoria praying for the passing, this Session, of the Flora and Fauna Guarantee Bill, and that any amendments be directed towards strengthening the powers of protection rather than limiting the range of species and communities protected under the Act.
Severally ordered to lie on the Table.
- 3 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, Business to take Precedence, and Order of the Day, Government Business, No. 1, be postponed until later this day.
- 4 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.
The Honourable Rosemary Varty 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 **MINISTERIAL STATEMENT—GREENS BUSH**—The Honourable J. E. Kirner made a Ministerial Statement concerning the protection of Greens Bush on the Mornington Peninsula.
The Honourable A. J. Hunt moved, by leave, That the Statement be taken into consideration forthwith.
Question—put and resolved in the affirmative.
Accordingly, the Honourable A. J. Hunt moved, That the Council take note of the Ministerial Statement.
The Honourable 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.
- 6 **FIREARMS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honourable G. A. Sgro 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.
- 7 **HEALTH SERVICES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act relating to health services, to repeal the 'Hospitals and Charities Act 1958', to make consequential amendments to certain Acts, to amend the 'Cancer Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.
On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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 **MENTAL HEALTH (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Mental Health Act 1986’, and for other purposes*” and desiring the concurrence of the Council therein.
- On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 10 inclusive, be postponed until later this day.
- 10 **RETAIL TENANCIES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.
- Bill read a second time and, by leave, 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 **MENTAL HEALTH (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable D. R. White) moved, That this Bill be now read a second time.
- The Honourable H. R. Ward (for the Honourable M. A. Birrell) 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 **LOCAL GOVERNMENT BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Local Government (Consequential Provisions) Bill and the Constitution (Local Government) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 12 April 1988]—
- Debate resumed.
- The Honourable K. I. M. 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.
- 13 **HEALTH SERVICES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable D. R. White) moved, That this Bill be now read a second time.
- The Honourable R. I. Knowles (for the Honourable M. A. Birrell) 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 **PUBLIC SERVICE (AMENDMENT) BILL (No. 2)**—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 Honourable Evan Walker, 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.
- Accordingly, the Honourable D. R. White (for the Honourable Evan Walker) moved, That this Bill be now read a second time.
- The Honourable 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 ADJOURNMENT—The Honourable D. R. White moved, That the Council, at its rising, adjourn until Tuesday, 3 May 1988.

Question—put and resolved in the affirmative.

And then the Council, at 4.28 p.m., adjourned until Tuesday, 3 May 1988.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act 1958*, the *Firearms (Prohibited Weapons) Regulations 1988* (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 4 sitting days remain for resolving***]
- 2 THE HON. HADDON STOREY—To move, That Regulation 27 of the *Corrections Regulations 1988* (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 10 sitting days remain for resolving***]

****** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 STATE BANK BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 2 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 3 FIREARMS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—To be further considered in Committee.
- †4 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. K. I. M. Wright).
- †5 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. K. I. M. Wright).
- †6 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. K. I. M. Wright).
- ¶7 SUPPLY (1988–89, No. 1) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- ¶8 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL (No. 2)—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- 9 MARINE BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 10 FLORA AND FAUNA GUARANTEE BILL—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. Marie Tehan).
- 11 ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 3)—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. Lawson).

† Cognate Bills—To be debated concurrently pursuant to Order of the Council on 12 April 1988.

¶ Cognate Bills—To be debated concurrently pursuant to Order of the Council on 19 April 1988.

- 12 **CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 13 **PIPELINES (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 14 **MEDICAL TREATMENT BILL (No. 2)**—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. D. R. White).
- *15 **HEALTH SERVICES BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- *16 **MENTAL HEALTH (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- *17 **PUBLIC SERVICE (AMENDMENT) BILL (No. 2)**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 18 **STAMPS (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- 19 **ESTATE AGENTS (AMENDMENT) BILL**—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 20 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL** (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 21 **VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 22 **LORD MAYOR'S COMMUNITY AID BILL**—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.

* Indicates new entry.

- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and

(d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

- 11 **THE HON. MARIE TEHAN**—To move, That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry in developing appropriate technological controls, alternative materials and products and initiatives for re-cycling existing CFC's.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).

- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—
Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of
Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite
previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon.*
N. B. Reid).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(*Hon.*
J. V. C. Guest)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by
Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan*
Walker).
- 17 **TAFE**—Motion condemning Government for creating uncertainty as to future,
and calling for outcome of its review to be announced—(*Hon. Haddon*
Storey)—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 **1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES**
COMMITTEE'S REPORT—To be considered.
- 19 **WORKCARE COMMITTEE'S FIRST REPORT**—To be considered.
- 20 **MOSQUITO BREEDING**—Motion condemning Government for inadequate
control measures—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon.*
D. R. White).
- 21 **EAST GIPPSLAND FOREST AREAS**—Motion endorsing call for expressions of
interest in pulp mill, recognising deficiencies in balancing resource availability
and local needs, and not condoning the establishment of further areas of
public land as parks pending assessment of forest areas—(*Hon. D. M.*
Evans)—*Resumption of debate.* (*Hon. B. W. Mier*).
- 22 **ROAD TOLL—MINISTERIAL STATEMENT**—To be considered.
- 23 **ALGAL BLOOM, GIPPSLAND LAKES**—Motion acknowledging community
concern at algal bloom in Gippsland Lakes and calling for establishment of
Committee to assess implications and report to Parliament—(*Hon. A. J.*
Hunt) and amendments of the *Hon. R. J. Long*—*Resumption of debate.*
(*Hon. J. E. Kirner*).
- 24 **HOSPITAL EMPLOYEES' WAGE INCREASE**—Motion condemning granting of
4 per cent second tier increase without negotiating productivity savings with
unions, and deploring decision to deduct the amount involved from payments
to hospitals—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R.*
White).
- 25 **OMBUDSMAN'S REPORT, 1986-87**—To be considered.
- 26 **REMUNERATION FOR VISITING MEDICAL STAFF AT PUBLIC HOSPITALS—**
MINISTER'S RESPONSE TO ECONOMIC AND BUDGET REVIEW COMMITTEE'S
RECOMMENDATIONS—To be considered.
- 27 **LABOUR MARKET STUDY FOR RADIOLOGISTS—MINISTER'S RESPONSE TO**
ECONOMIC AND BUDGET REVIEW COMMITTEE'S RECOMMENDATIONS—
To be considered.
- 28 **POULTRY FARMER LICENSING COMMITTEE REPORT, 1986-87**—To be
considered.
- 29 **BUILDING SOCIETIES REGISTRAR'S REPORT, 1985-86**—To be considered.

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- 30 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1985-86—To be considered.
- 31 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1985-86—To be considered.
- 32 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1985-86—To be considered.
- 33 LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- *34 GREENS BUSH—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

‡ Wednesday—General business.

‡ No new business shall be taken after 10.00 p.m.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act* 1958, the Firearms (Prohibited Weapons) Regulations 1988 (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 3 sitting days remain for resolving***]
- 2 THE HON. HADDON STOREY—To move, That Regulation 27 of the Corrections Regulations 1988 (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 9 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 NATIONAL PARKS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—Second reading.
- 2 ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 3)—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 3 MARINE BILL—(from Assembly—Hon. J. H. Kennan)—Second reading—Resumption of debate. (Hon. R. Lawson).
- 4 PIPELINES (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- 5 STATE ELECTRICITY COMMISSION (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. Rosemary Varty).
- †6 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- †7 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- †8 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- ¶9 SUPPLY (1988-89, No. 1) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).
- ¶10 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL (No. 2)—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. N. B. Reid).

* Indicates new entry.

† Cognate Bills—To be debated concurrently pursuant to Order of the Council on 12 April 1988.

¶ Cognate Bills—To be debated concurrently pursuant to Order of the Council on 19 April 1988.

- 11 **STATE BANK BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 12 **FLORA AND FAUNA GUARANTEE BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. Marie Tehan).
- 13 **FIREARMS (AMENDMENT) BILL (No. 2)**—(from Assembly—Hon. J. E. Kirner)—To be further considered in Committee.
- 14 **MEDICAL TREATMENT BILL (No. 2)**—(Hon. D. R. White)—To be further considered in Committee.
- 15 **CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- *16 **CRIMES (CUSTODY AND INVESTIGATION) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- *17 **TELECOMMUNICATIONS (INTERCEPTION) (STATE PROVISIONS) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 18 **HEALTH SERVICES BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 19 **MENTAL HEALTH (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 20 **PUBLIC SERVICE (AMENDMENT) BILL (No. 2)**—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 21 **STAMPS (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- 22 **ESTATE AGENTS (AMENDMENT) BILL**—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 23 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL** (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 24 **VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 25 **LORD MAYOR'S COMMUNITY AID BILL**—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.

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(d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

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- 29 **CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1985-86—**To be considered.
- 30 **CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1985-86—**To be considered.
- 31 **FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1985-86—**
To be considered.
- 32 **LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS—**Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 33 **GREENS BUSH—MINISTERIAL STATEMENT—**Motion to take note of Statement—(*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- *34 **CHIROPODISTS REGISTRATION BOARD REPORT, 1987—**To be considered.
- *35 **NATIONAL PARKS DIRECTOR'S REPORT, 1986-87—**To be considered.
- *36 **OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87—**To be considered.
- *37 **POLICE COMPLAINTS AUTHORITY REPORT, PERIOD ENDED 5 MAY 1988—**
To be considered.
- *38 **USE OF ANIMALS FROM MUNICIPAL POUNDS IN SCIENTIFIC PROCEDURES—**
CODE OF PRACTICE—To be considered.
- *39 **HORTICULTURAL EXPORT COUNCIL—MINISTERIAL STATEMENT—**To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

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Thursday—11.00 a.m.

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‡ Wednesday—General business.

‡ No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act 1958*, the *Firearms (Prohibited Weapons) Regulations 1988* (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 2 sitting days remain for resolving***]
- 2 THE HON. HADDON STOREY—To move, That Regulation 27 of the *Corrections Regulations 1988* (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 8 sitting days remain for resolving***]

****** *Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 STAMPS (SECONDARY MORTGAGE MARKET) BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *2 LOCAL AUTHORITIES SUPERANNUATION BILL—(from Assembly—Hon. C. J. Hogg)—Second reading.
- *3 HOSPITALS SUPERANNUATION BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *4 STATE SUPERANNUATION BILL—(from Assembly—Hon. D. R. White)—Second reading.
- *5 TRANSPORT SUPERANNUATION BILL—(from Assembly—Hon. D. R. White)—Second reading.
- 6 CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 7 TELECOMMUNICATIONS (INTERCEPTION) (STATE PROVISIONS) BILL—(from Assembly—Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- *8 WORKCARE COMMITTEE—MESSAGE FROM THE ASSEMBLY—To be considered.
- ¶9 SUPPLY (1988–89, No. 1) BILL—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. N. B. Reid).
- ¶10 WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL (No. 2)—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. N. B. Reid).
- 11 MEDICAL TREATMENT BILL (No. 2)—(Hon. D. R. White)—To be further considered in Committee.

* Indicates new entry.

¶ Cognate Bills—To be debated concurrently pursuant to Order of the Council on 19 April 1988.

- 12 FLORA AND FAUNA GUARANTEE BILL—(from Assembly—Hon. J. E. Kirner)—To be committed.
- 13 STAMPS (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- 14 PUBLIC SERVICE (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- †15 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- †16 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- †17 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- 18 NATIONAL PARKS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. Marie Tehan).
- 19 MARINE BILL—(from Assembly—Hon. J. H. Kennan)—To be further considered in Committee.
- 20 STATE BANK BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 21 FIREARMS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—To be further considered in Committee.
- 22 CRIMES (CUSTODY AND INVESTIGATION) BILL—(from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 23 MENTAL HEALTH (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Birrell).
- 24 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 25 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 26 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 27 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

† Cognate Bills—To be debated concurrently pursuant to Order of the Council on 12 April 1988.

- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;

- (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
- (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.
- 11 **THE HON. MARIE TEHAN**—To move, That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry in developing appropriate technological controls, alternative materials and products and initiatives for re-cycling existing CFC's.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).

- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 20 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).
- 21 EAST GIPPSLAND FOREST AREAS—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. B. W. Mier).
- 22 ALGAL BLOOM, GIPPSLAND LAKES—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(Hon. A. J. Hunt) and amendments of the Hon. R. J. Long—*Resumption of debate.* (Hon. J. E. Kirner).
- 23 HOSPITAL EMPLOYEES' WAGE INCREASE—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).
- 24 BUILDING SOCIETIES REGISTRAR'S REPORT, 1985-86—To be considered.

- 25 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1985-86—To be considered.
- 26 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1985-86—To be considered.
- 27 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—GOVERNMENT STATIST'S AND REGISTRAR OF FRIENDLY SOCIETIES' REPORTS, 1985-86—To be considered.
- 28 LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 29 GREENS BUSH—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 30 CHIROPODISTS REGISTRATION BOARD REPORT, 1987—To be considered.
- 31 NATIONAL PARKS DIRECTOR'S REPORT, 1986-87—To be considered.
- 32 OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87—To be considered.
- 33 POLICE COMPLAINTS AUTHORITY REPORT, PERIOD ENDED 5 MAY 1988—To be considered.
- 34 USE OF ANIMALS FROM MUNICIPAL POUNDS IN SCIENTIFIC PROCEDURES—CODE OF PRACTICE—To be considered.
- 35 HORTICULTURAL EXPORT COUNCIL—MINISTERIAL STATEMENT—To be considered.
- *36 COMMUNITY VIOLENCE—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- *37 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS NOTIFIED TO 30 APRIL 1988—To be considered.
- *38 CRIME VICTIMS' SUPPORT SERVICES—MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS—To be considered.
- *39 EGG MARKETING—MINISTERIAL STATEMENT IN RESPONSE TO PUBLIC BODIES REVIEW COMMITTEE'S RECOMMENDATIONS—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

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STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

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LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 THE HON. R. M. HALLAM—To move, That pursuant to section 49 (1A) of the *Firearms Act 1958*, the *Firearms (Prohibited Weapons) Regulations 1988* (S.R. No. 92/1988) be disallowed. [*Notice given 29 March 1988; 1 sitting day remains for resolving***]
- 2 THE HON. HADDON STOREY—To move, That Regulation 27 of the *Corrections Regulations 1988* (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 7 sitting days remain for resolving***]

****** *Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **CRIMES (FINGERPRINTING) BILL**—(from Assembly—Hon. Evan Walker)—Second reading.
- *2 **RURAL FINANCE BILL**—(from Assembly—Hon. Evan Walker)—Second reading.
- *3 **TRANSPORT ACCIDENT (AMENDMENT) BILL**—(from Assembly—Hon. J. H. Kennan)—Second reading.
- *4 **DEPUTY OMBUDSMAN (POLICE COMPLAINTS) BILL**—(from Assembly—Hon. J. E. Kirner)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- §5 **LOCAL AUTHORITIES SUPERANNUATION BILL**—(from Assembly—Hon. C. J. Hogg)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- §6 **HOSPITALS SUPERANNUATION BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- §7 **STATE SUPERANNUATION BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- §8 **TRANSPORT SUPERANNUATION BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- 9 **CRIMES (CUSTODY AND INVESTIGATION) BILL**—(from Assembly—Hon. Evan Walker)—Second reading—*Resumption of debate.* (Hon. B. A. Chamberlain).
- 10 **MENTAL HEALTH (AMENDMENT) BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. M. A. Birrell).
- 11 **STATE BANK BILL**—(from Assembly—Hon. D. R. White)—Second reading—*Resumption of debate.* (Hon. J. V. C. Guest).
- 12 **FIREARMS (AMENDMENT) BILL (No. 2)**—(from Assembly—Hon. J. E. Kirner)—To be further considered in Committee.

* Indicates new entry.

§ Cognate Bills—Second reading to be debated concurrently pursuant to Order of the Council on 5 May 1988.

- *13 FIREARMS (AMENDMENT) BILL (No. 2)—MESSAGE FROM THE ASSEMBLY—
To be considered.
- 14 NATIONAL PARKS (AMENDMENT) BILL (No. 2)—(from Assembly—Hon. J. E. Kirner)—Second reading—Resumption of debate. (Hon. Marie Tehan).
- 15 STAMPS (AMENDMENT) BILL—(from Assembly—Hon. D. R. White)—To be further considered in Committee.
- †16 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- †17 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- †18 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. D. E. Henshaw).
- 19 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- 20 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 21 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 22 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

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NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report

† Cognate Bills—To be debated concurrently pursuant to Order of the Council on 12 April 1988.

by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.

- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day

subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

- 11 **THE HON. MARIE TEHAN**—To move, That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry in developing appropriate technological controls, alternative materials and products and initiatives for re-cycling existing CFC's.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. B. P. Dunn*).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. B. T. Pullen*).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(*Hon. B. A. Chamberlain*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading—*Resumption of debate.* (*Hon. C. F. Van Buren*).

- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. R. I. Knowles*)—*Resumption of debate.* (*Hon. H. R. Ward*).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. N. B. Reid*).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(*Hon. J. V. C. Guest*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 17 **TAFE**—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 **1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT**—To be considered.
- 19 **WORKCARE COMMITTEE'S FIRST REPORT**—To be considered.
- 20 **MOSQUITO BREEDING**—Motion condemning Government for inadequate control measures—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 21 **EAST GIPPSLAND FOREST AREAS**—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. B. W. Mier*).
- 22 **ALGAL BLOOM, GIPPSLAND LAKES**—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(*Hon. A. J. Hunt*) and amendments of the *Hon. R. J. Long*—*Resumption of debate.* (*Hon. J. E. Kirner*).
- 23 **HOSPITAL EMPLOYEES' WAGE INCREASE**—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 24 **LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS**—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 25 **GREENS BUSH—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 **CHIROPODISTS REGISTRATION BOARD REPORT, 1987**—To be considered.
- 27 **NATIONAL PARKS DIRECTOR'S REPORT, 1986-87**—To be considered.
- 28 **OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87**—To be considered.
- 29 **POLICE COMPLAINTS AUTHORITY REPORT, PERIOD ENDED 5 MAY 1988**—To be considered.
- 30 **USE OF ANIMALS FROM MUNICIPAL POUNDS IN SCIENTIFIC PROCEDURES—CODE OF PRACTICE**—To be considered.

- 31 HORTICULTURAL EXPORT COUNCIL—MINISTERIAL STATEMENT—To be considered.
- 32 COMMUNITY VIOLENCE—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 33 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS NOTIFIED TO 30 APRIL 1988—To be considered.
- 34 CRIME VICTIMS' SUPPORT SERVICES—MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS—To be considered.
- 35 EGG MARKETING—MINISTERIAL STATEMENT IN RESPONSE TO PUBLIC BODIES REVIEW COMMITTEE'S RECOMMENDATIONS—To be considered.
- *36 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—REGISTRAR'S REPORT, 1986-87—To be considered.
- *37 YOUTH PAROLE BOARD REPORT, 1986-87—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedg, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

ELECTORAL REFORM AND NUNAWADING RE-ELECTION—The Honourables M. J. Arnold, M. A. Birrell, B. P. Dunn, A. J. Hunt and B. W. Mier.

ESTIMATES (JOINT)—The Honourables R. M. Hallam, M. A. Lyster, M. J. Sandon and Marie Tehan.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Coxsedg, W. A. Landeryou, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedg, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

‡ Wednesday—General business.

‡ No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 52, 53, 54 and 55

No. 52—Tuesday, 3 May 1988

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACTS**—The Honourable Evan Walker presented Messages from His Excellency the Governor and the Lieutenant-Governor informing the Council that they had, on the dates mentioned hereunder, given the Royal Assent to the undermentioned Acts presented to them by the Clerk of the Parliaments:

On 27 April 1988 (by the Governor)—

Land (Transaction Information) Act.

Energy Consumption Levy (Amendment) Act.

Water and Sewerage Authorities (Restructuring) (Postponement of Expiry) Act.

Retail Tenancies (Amendment) Act.

On 3 May 1988 (by the Lieutenant-Governor)—

Building Control (General Amendment) Act.

- 3 **CRIMES (CUSTODY AND INVESTIGATION) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Crimes Act 1958’ to reform the law governing consensual questioning of persons suspected of having committed offences and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **DISTINGUISHED VISITOR**—The Honourable Evan Walker moved, That a chair be provided on the floor of the Council Chamber for Mr Bai Yun, Secretary-General, Standing Committee of the Jiangsu Provincial People’s Congress, People’s Republic of China.

Question—put and resolved in the affirmative.

Mr Bai Yun then entered the Council Chamber and was conducted by the Usher of the Black Rod to a chair on the floor of the House beside the President.

- 5 **PETITIONS**—

COMPANION ANIMALS—The Honourable M. A. Lyster presented a Petition from certain citizens of Victoria praying that the Government take steps to encourage the neutering of pet animals and that the suggestions of the Lost Dogs’ Home regarding neglect, cruelty and unregulated breeding be included in any proposed legislation regarding the care and safeguarding of companion animals.

Ordered to lie on the Table.

* * * *

PUBLIC HOSPITALS CLOSURE—The Honourable M. A. Birrell presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

Ordered to lie on the Table.

6 PAPERS—

LEGAL AND CONSTITUTIONAL COMMITTEE—SUBORDINATE LEGISLATION—

The Honourable Haddon Storey presented the Twelfth Report from the Legal and Constitutional Committee upon Subordinate Legislation (S.R. No. 231/1987), together with Appendices.

Ordered to lie on the Table and to be printed.

* * * *

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE—

MONUMENTAL MASONS—The Honourable J. G. Miles presented a Report from the Mortuary Industry and Cemeteries Administration Committee upon the Registration and Licensing of Monumental Masons and Industry Standards, together with Appendices and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendices to be printed.

* * * *

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

Chiropodists Registration Board—Report and financial statement for the year 1987 (two papers).

National Parks—Report of the Director for the year 1986–87.

Optometrists Registration Board—Report and financial statement for the year 1986–87.

Planning and Environment Act 1987—Notices of approval of the following amendments to planning schemes:

- Bass Planning Scheme—Amendment L1.
- Daylesford and Glenlyon Planning Scheme—Amendment L1.
- Grenville Planning Scheme—Amendment L1.
- Huntly Planning Scheme—Amendment L1.
- Knox Planning Scheme—Amendment L2.
- Lillydale Planning Scheme—Amendments L5, L6 and L8.
- Maffra Planning Scheme—Amendments L5, L6 and L7.
- Metcalf Planning Scheme—Amendment L2.
- Metropolitan Region Planning Schemes—Amendments RL9 and RL24.
- Mildura (City) Planning Scheme—Amendment L3.
- Mirboo Planning Scheme—Amendment L3.
- Sebastopol Planning Scheme—Amendment L2.
- Shepparton (City) Planning Scheme—Amendment L3.
- South Gippsland Planning Scheme—Amendment L1.
- Stawell (Shire) Planning Scheme—Amendment L1.
- Traralgon (City) Planning Scheme—Amendments L1, L7, L8 and L9.
- Traralgon (Shire) Planning Scheme—Amendment L17.
- Wangaratta (City) Planning Scheme—Amendments L1 and L2.
- Warragul Planning Scheme—Amendment L1.
- Whittlesea Planning Scheme—Amendment L1.
- Wimmera Planning Scheme—Amendment L1.

Police Complaints Authority—Report for the period October 1987 to 5 May 1988.

Prevention of Cruelty to Animals Act 1986—Code of Practice for the Use of Animals from Municipal Pounds in Scientific Procedures.

PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Clerk pursuant to an Order of the Council on 24 February 1987:

Abattoir and Meat Inspection (Arrangements) Act 1987—Section 4—3 April 1988 (*Gazette* No. G 12, 30 March 1988).

Agricultural Acts (Amendment) Act 1987—Part 2—30 March 1988 (*Gazette* No. G 12, 30 March 1988).

Fair Trading Act 1985—Section 46—3 April 1988 (*Gazette* No. G 12, 30 March 1988).

Fisheries (Abalone) Act 1987—31 March 1988 (*Gazette* No. S 24, 31 March 1988).

Health Services (Conciliation and Review) Act 1987—24 March 1988 (*Gazette* No. S 20, 24 March 1988).

House Contracts Guarantee Act 1987—Whole Act, except sections 18 (2) (b) and 22 (1) (e)—1 May 1988; Section 18 (2) (b)—1 November 1988 (*Gazette* No. G 12, 30 March 1988).

Liquor Control Act 1987—Sections 8, 10 to 14 and 35 to 38—26 April 1988 (*Gazette* No. G 12, 30 March 1988); Remaining provisions, except sections 176 (3) and 177—3 May 1988 (*Gazette* No. G 15, 27 April 1988).

Local Government (General Amendment) Act 1986—Sections 9 and 10—30 March 1988 (*Gazette* No. G 12, 30 March 1988).

Travel Agents Act 1986—Sections 37 and 38—30 March 1988 (*Gazette* No. G 12, 30 March 1988).

The Honourable Haddon Storey moved, That the Reports and Code of Practice tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

7 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, Business to take Precedence, be postponed until later this day.

8 **CRIMES (CUSTODY AND INVESTIGATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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 later this day.

9 **STATE BANK BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 13 inclusive, be postponed until later this day.

11 **MEDICAL TREATMENT BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put.

The Council divided.

AYES, 21

The Hon. M. J. Arnold (*Teller*)
 Joan Cocksedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren (*Teller*)
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey (*Teller*)
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

The Tellers having declared the numbers for the "Ayes" and for the "Noes" to be respectively twenty-one or equal, the President said—

The result of the division is Ayes 21, Noes 21. The numbers being equal, it devolves on me to give a casting vote. In order to enable the Bill to be further considered in the hope that differences will be resolved by further discussion, and in accordance with well-established precedent, I cast my vote with the Ayes.

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 Honourable G. A. Sgro 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.

- 12 **MINISTERIAL STATEMENT—HORTICULTURAL EXPORT COUNCIL**—The Honourable Evan Walker made a Ministerial Statement upon the Victorian Horticultural Export Council.

The Honourable H. R. Ward moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 13 **LOCAL GOVERNMENT BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Local Government (Consequential Provisions) Bill and the Constitution (Local Government) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 12 April 1988]—

Debate resumed.

The Honourable D. E. Henshaw 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 **FIREARMS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

And having continued to sit until after 12 midnight—

WEDNESDAY, 4 MAY 1988

The President resumed the Chair; and the Honourable M. J. Arnold reported that the Committee had made progress in the Bill, and asked leave to sit again, having agreed to certain amendments, an amended title as follows: *An Act to amend the Firearms Act 1958, to increase certain penalties under the Crimes Act 1958 and the Vagrancy Act 1966, to amend the Crimes (Family Violence) Act 1987, and for other purposes*, and to a Resolution suggesting to the Assembly that they make the following amendments in the Bill:

1. Clause 16, line 30, omit “may” and insert “shall”.
2. Clause 16, line 30, after “payment” insert “of an amount that is not less than the market value of the prohibited weapon immediately before it was prohibited”.
3. Clause 16, line 32, after “weapon” insert “that he or she lawfully owned immediately before it became a prohibited weapon”.

On the motion of the Honourable J. E. Kirner, the Council adopted the Report and 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, and acquainting them that the Council have agreed to amendments in the Bill, with which they desire the concurrence of the Assembly.

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

- 15 **NATIONAL PARKS (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘National Parks Act 1975’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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 **TELECOMMUNICATIONS (INTERCEPTION) (STATE PROVISIONS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to enable the Police Force of Victoria to intercept telecommunications in accordance with the ‘Telecommunications (Interception) Act 1979’ of the Commonwealth and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable 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 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 1.32 a.m., adjourned until this day.

R. K. EVANS
Clerk of the Legislative Council

No. 53—Wednesday, 4 May 1988

1 The President took the Chair and read the Prayer.

2 PETITIONS—

FLORA AND FAUNA GUARANTEE BILL—The Honourable Marie Tehan presented a Petition from certain citizens of Victoria praying for the passing, this Session, of the Flora and Fauna Guarantee Bill, and that any amendments be directed towards strengthening the powers of protection rather than limiting the range of species and communities protected under the Act.

Ordered to lie on the Table.

* * * *

BROTHEL, MOORABBIN—The Honourable G. P. Connard presented a Petition from certain citizens of Victoria opposing the establishment of a brothel at 6 Bignell Road, Moorabbin.

Ordered to lie on the Table.

* * * *

PUBLIC HOSPITALS CLOSURE—The Honourable J. V. C. Guest presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

Ordered to lie on the Table.

3 PAPERS—

SOCIAL DEVELOPMENT COMMITTEE—COMMUNITY VIOLENCE—The Honourable J. L. Dixon presented the First Report from the Social Development Committee upon Strategies to deal with the Issue of Community Violence, together with Appendices.

Ordered to lie on the Table and to be printed.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

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

Members of Parliament (Register of Interests) Act 1978—Summary of variations notified to 30 April 1988.

Parliamentary Committees Act 1968—Minister's response to recommendations in Legal and Constitutional Committee's report upon Support Services for Victims of Crime.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 4 BUSINESS POSTPONED—Ordered—That the consideration of the Notices of Motion, Business to take Precedence, be postponed until later this day.
- 5 NATIONAL PARKS (AMENDMENT) BILL (No. 2)—The Order of the Day having been read for the second reading of this Bill, the Honourable J. E. Kirner moved, That this Bill be now read a second time.

The Honourable Marie Tehan moved, That the debate be now adjourned.

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

The Honourable J. E. Kirner moved, That the debate be adjourned until later this day.

The Honourable D. M. Evans moved, as an amendment, That “until later this day” be omitted with the view of inserting in place thereof “for 28 days”.

Debate ensued.

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

The Council divided.

AYES, 35

NOES, 5

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxside (*Teller*)
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 N. B. Reid (*Teller*)
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

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

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

- 6 **ENVIRONMENT PROTECTION (AMENDMENT) BILL (No. 3)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable D. E. Henshaw 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 **MARINE BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 8 **STAMPS (SECONDARY MORTGAGE MARKET) 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 secondary mortgage market, to amend the 'Stamps Act 1958' and the 'Trustee Act 1958' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Melbourne Corporation (Election of Council) Act 1982' to enable the holding of a general election in 1988*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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 **LOCAL AUTHORITIES SUPERANNUATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to re-enact with changes the law relating to local authorities superannuation, to repeal the 'Local Authorities Superannuation Act 1958' and certain other Acts, to amend certain Acts and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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 **WORKCARE (JOINT) COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting the Council of a Resolution amending their Resolution of 14 November 1987 concerning the appointment of the WorkCare Committee so as to now require the Committee's final report to be presented no later than 31 July 1988, and to extend the effect of the Resolution up to and until 31 July 1988.

Ordered—That the Message be taken into consideration later this day.

- 12 **PIPELINES (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable Joan Coxsedg 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.

- 13 **STATE ELECTRICITY COMMISSION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable D. E. Henshaw 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.

- 14 **MELBOURNE CORPORATION (ELECTION OF COUNCIL) (AMENDMENT) BILL**—This Bill was, according to Order and after debate, read a second time and, by leave, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 to 11 inclusive, be postponed until later this day.

- 16 **FLORA AND FAUNA GUARANTEE BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

Question—put and resolved in the affirmative—Bill read a second time.

Ordered—That the Bill be committed to a Committee of the whole later this day.

- 17 **MINISTERIAL STATEMENT—EGG MARKETING**—The Honourable Evan Walker made a Ministerial Statement in response to the Public Bodies Review Committee's recommendations on Egg Marketing Arrangements.

The Honourable F. J. Granter moved, That the Statement be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 18 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 13 to 17 inclusive, be postponed until later this day.

- 19 **HEALTH SERVICES BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 12 midnight—

THURSDAY, 5 MAY 1988

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 20 **HOSPITALS SUPERANNUATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide improved benefits under the Hospitals Superannuation Fund, to repeal the ‘Hospitals Superannuation Act 1965’ and certain other Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **STATE SUPERANNUATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide improved benefits under the State Superannuation Fund, to introduce a new scheme for new officers, to repeal the ‘Superannuation Act 1958’ and certain other Acts, to make consequential amendments to certain other Acts and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **TRANSPORT SUPERANNUATION BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to establish a Transport Superannuation Fund, to amend the ‘Borrowing and Investment Powers Act 1987’ and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White, 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 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until this day at 10.30 a.m.

Question—put and resolved in the affirmative.

And then the Council, at 1.07 a.m., adjourned until this day at 10.30 a.m.

R. K. EVANS
Clerk of the Legislative Council

No. 54—Thursday, 5 May 1988

- 1 The President took the Chair and read the Prayer.

2 **PAPERS**—

COUNCIL OF MAGISTRATES—The Honourable Evan Walker presented, by command of His Excellency the Governor, the Report of the Council of Magistrates for the year 1986–87.

Ordered to lie on the Table.

Mr GEORGE HRISTOFF—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of a Report from the Mental Health Review Board in relation to Mr George Hristoff.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

* * * *

ECONOMIC AND BUDGET REVIEW COMMITTEE—COMMERCIAL AUTHORITY DEBT CONTROLS—The Honourable D. E. Henshaw presented a Report from the Economic and Budget Review Committee upon Controls over Commercial Authority Debt Levels, together with Appendices, Extracts from the Proceedings and a Minority Report.

Ordered to lie on the Table and to be printed.

* * * *

PUBLIC BODIES REVIEW COMMITTEE—DRIED FRUITS BOARD—The Honourable A. J. Hunt presented a Report from the Public Bodies Review Committee upon the Victorian Dried Fruits Board, together with a Bibliography and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Bibliography to be printed.

* * * *

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

Benefit Associations—Report of the Registrar of Friendly Societies for the year 1986–87.

Planning and Environment Act 1987—Notices of approval of the following amendments to planning schemes:

Bairnsdale (Town) Planning Scheme—Amendments L1 and L5.

Geelong Regional Planning Scheme—Amendment R11.

Melbourne Planning Scheme—Amendment L4.

Metropolitan Region Planning Schemes—Amendments R5 and R6.

Youth Parole Board—Report for the year 1986–87.

The Honourable Haddon Storey 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 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notices of Motion, Business to take Precedence, be postponed until later this day.

4 **STAMPS (SECONDARY MORTGAGE MARKET) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 to 5 inclusive, be postponed until later this day.

6 **CRIMINAL INJURIES COMPENSATION (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now

read a second time, 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 Honourable G. A. Sgro 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.

- 7 **TELECOMMUNICATIONS (INTERCEPTION) (STATE PROVISIONS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 8 **WORKCARE (JOINT) COMMITTEE**—The Order of the Day having been read for the consideration of the Message from the Assembly acquainting the Council that they have amended their Resolution concerning the appointment of this Committee (see page 215 *ante*)—

The Honourable Evan Walker moved, by leave, That the Council concur with the Assembly and that its Resolution of 14 November 1987 to establish a Joint Select Committee on WorkCare be amended—

- in paragraph 3 so as to now require the Committee's final report to be presented no later than 31 July 1988; and
- in paragraph 18 to extend the effect of the Resolution up to and until 31 July 1988.

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 9 **SUPPLY (1988–89, No. 1) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Works and Services (Ancillary Provisions, No. 1) Bill (No. 2) having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 19 April 1988]—

Debate resumed.

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 Honourable G. A. Sgro 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.

- 10 **STAMPS (SECONDARY MORTGAGE MARKET) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative. Bill read a second time and, by leave, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 11 to 18 inclusive, be postponed until later this day.

- 12 **MARINE BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 13 **PUBLIC SERVICE (AMENDMENT) BILL (No. 2)**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **DEPUTY OMBUDSMAN (POLICE COMPLAINTS) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to abolish the Police Complaints Authority and create the office of Deputy Ombudsman (Police Complaints) to replace it, to amend the 'Police Regulation Act 1958' and the 'Ombudsman Act 1973' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. E. Kirner), 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 **MEDICAL TREATMENT BILL (No. 2)**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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 Honourable D. R. White moved, That the Bill be now read a third time.

Debate ensued.

Question—put.

The Council divided.

AYES, 19

The Hon. M. J. Arnold
 Joan Coxsedg
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Marie Tehan (*Teller*)
 Rosemary Varty (*Teller*)
 H. R. Ward

The Tellers having declared the number for the “Ayes” and for the “Noes” to be respectively nineteen or equal, the President said—

The numbers in the vote being equal, it devolves on me to give a casting vote.

The role of the Presiding Officer in relation to exercising his casting vote on the stages of Bills is now quite well settled.

At second reading, the duty is to vote for preservation of the Bill so that discussion may continue in Committee of the whole.

At third reading, the President is entitled to exercise his vote according to his best judgment of the merits of the case. It is, in effect, a delayed deliberative vote. Matters to be taken into consideration at that stage include the degree of effort that has been made to accommodate amendments to the original proposition put to the House in order to allay concerns raised in debate. Regard should also be had to the community feeling and interest in the subject matter and also the Presiding Officer's responsibility to those constituents he represents in this place.

In relation to the Medical Treatment Bill the subject matter is one that has engendered considerable—and at times passionate—debate in the community. It has the backing of an all-party Select Committee of this Parliament, which received evidence from a wide spectrum of community and professional interests. The committee weighed those submissions and was able to form a view that was unanimous, and one which has received considerable commendation from eminent quarters.

The proposals in the Bill have been examined minutely and discussed exhaustively both in this House and in other forums, and I am comfortable with my view that there has been wide input and thorough scrutiny.

The final criterion I place on decisions of this nature is whether or not, in my conscience, I feel that the proposed legislation will be of benefit to the people of Victoria and, in this case, I believe it will. Therefore, I cast my vote with the “Ayes”. The “Ayes” therefore have it.

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 **STATE SUPERANNUATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest 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 **TRANSPORT SUPERANNUATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest 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 **HOSPITALS SUPERANNUATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest 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.

19 **LOCAL AUTHORITIES SUPERANNUATION BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable D. R. White moved, That this Bill be now read a second time.

The Honourable J. V. C. Guest 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 **COGNATE BILLS**—The Honourable D. R. White moved, by leave, That this House authorizes and requires the Honourable the President to permit the second reading debate on the Local Authorities Superannuation Bill, the Hospitals Superannuation Bill, the State Superannuation Bill and the Transport Superannuation Bill to be taken concurrently upon the Order of the Day for the resumption of debate on any one of them being read.

Debate ensued.

Question—put and resolved in the affirmative.

21 **DEPUTY OMBUDSMAN (POLICE COMPLAINTS) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable J. E. Kirner) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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 later this day.

22 **RURAL FINANCE BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act relating to the provision of financial services and assistance to rural industries; to provide for the administration of the remaining leases, mortgages, contracts of sale and other interests created under the ‘Land Settlement Act 1959’ and the ‘Soldier Settlement Act 1958’; to repeal the ‘Rural Finance and Settlement Commission Act 1961’, the ‘Rural Finance Act 1958’, the ‘Land Settlement Act 1959’ and the ‘Soldier Settlement Act 1958’; to make consequential amendments to certain other Acts; and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

- 23 **FLORA AND FAUNA GUARANTEE BILL**—This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

And having continued to sit until after 12 midnight—

FRIDAY, 6 MAY 1988

The President resumed the Chair; and the Honourable R. Lawson 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, after debate, 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.

- 24 **FIREARMS (AMENDMENT) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that, whilst not admitting the right of the Council to suggest some amendments, they have made the amendments suggested by the Council, with which they desire the concurrence of the Council and, in respect of the amendments made by the Council in the Bill—

- have agreed to some of the amendments;
- have agreed to another of the said amendments with amendments; and
- have disagreed with the remaining amendments—

and desiring the concurrence of the Council.

Ordered—That, insofar as it relates to the suggested amendments, the Bill be referred to the Committee of the whole on the Bill, and that the remainder of the Message be taken into consideration later this day.

- 25 **TRANSPORT ACCIDENT (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Transport Accident Act 1986’, to make a consequential amendment to the ‘Transport Act 1983’, and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable J. H. Kennan), 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 **CRIMES (FINGERPRINTING) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to amend the ‘Crimes Act 1958’ to allow police to fingerprint suspected persons in certain circumstances and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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 **SUPPLY (1988–89, No. 1) BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

- 28 **WORKS AND SERVICES (ANCILLARY PROVISIONS, No. 1) BILL (No. 2)**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time—

Question—put and resolved in the affirmative.

Bill read a second time and, by leave, 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 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until this day at 10.30 a.m.

Question—put and resolved in the affirmative.

And then the Council, at 2.41 a.m., adjourned until this day at 10.30 a.m.

R. K. EVANS
Clerk of the Legislative Council

No. 55—Friday, 6 May 1988

- 1 The President took the Chair and read the Prayer.

2 **PAPERS—**

ESTIMATES COMMITTEE—1987-88 RECEIPTS AND PAYMENTS—The Honourable Marie Tehan presented the Second Report from the Estimates Committee upon the 1987-88 Estimates of Receipts and Payments, together with an Appendix and Minutes of Evidence.

Ordered to lie on the Table, and the Report and Appendix to be printed.

* * * *

SOCIAL DEVELOPMENT COMMITTEE—DRINK DRIVING—The Honourable J. L. Dixon presented the First Report from the Social Development Committee upon the Management of Drink-Drivers apprehended with High Blood Alcohol Levels, together with Appendices.

Ordered to lie on the Table and to be printed.

The Honourable R. S. de Fegely moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

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

Law Reform Commission—Report upon the Occupational Review of Estate Agents and Auctioneers.

Statutory Rules under the following Acts of Parliament:

Audit Act 1958—No. 113.

Building Control Act 1981—No. 114.

Drugs, Poisons and Controlled Substances Act 1981—No. 118.

Health Act 1958—No. 119.

Loddon-Campaspe Regional Planning Authority Act 1987—No. 120.

Public Service Act 1974—PSD Nos. 14 and 15.

Superannuation Act 1958—No. 115.

3 **BUSINESS POSTPONED**—Ordered, after debate—That the consideration of the Notices of Motion, Business to take Precedence, be postponed until later this day.

4 **CRIMES (FINGERPRINTING) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable 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 later this day.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 2 and 3, be postponed until later this day.

6 **DEPUTY OMBUDSMAN (POLICE COMPLAINTS) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **LOCAL AUTHORITIES SUPERANNUATION BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Hospitals Superannuation Bill, the State Superannuation Bill and the Transport Superannuation Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 5 May 1988]—

Debate resumed.

Question—put and resolved in the affirmative.

Bill read a second time and, by leave, 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 **HOSPITALS SUPERANNUATION BILL**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time—

Question—put and resolved in the affirmative.

Bill read a second time and, by leave, 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 **STATE SUPERANNUATION BILL**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time—

Question—put and resolved in the affirmative.

Bill read a second time and, by leave, 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 **TRANSPORT SUPERANNUATION BILL**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time—

Question—put and resolved in the affirmative.

Bill read a second time and, by leave, 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 4 to 22 inclusive, the Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 21 inclusive, be postponed until later this day.
- 12 **ALGAL BLOOM, GIPPSLAND LAKES**—The Order of the Day having been read for the resumption of the debate on the question, That the House acknowledge the concern over the problem of algal bloom in the Gippsland Lakes, and on the amendments of the Hon. R. J. Long (for motion and amendments, see pages 279–80 *ante*)—

Debate resumed.

The Honourable H. R. Ward (for the Honourable 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 later this day.

- 13 **FIREARMS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro reported that the Committee had agreed to the Bill, including the amendments made by the Assembly on the suggestion of the Council, without further amendment.

On the motion of the Honourable J. E. Kirner, the Council adopted the Report from the Committee of the whole, and the Bill was read a third time and passed.

- 14 **FIREARMS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the consideration of the Message from the Assembly relating to amendments made by the Council in this Bill (see page 320 *ante*)—

The amendments remaining for consideration by the Council were read and are as follows:

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
* *	* *
No. 20. Clause 16, line 18, omit “(4)” and insert “(5A)”.	} Disagreed with.
No. 21. Clause 16, line 28, omit “(4A)” and insert “(5B)”.	
* *	* *

*Amendments made by the Legislative Council**How dealt with by the Legislative Assembly*

No. 23. Clause 16, line 30, omit "(4B)" and insert "(5C)".

No. 24. Clause 16, line 33, omit "(4C)" and insert "(5D)".

No. 25. Clause 16, line 33, omit "(4B)" and insert "(5C)".

Disagreed with.

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No. 45. Insert the following new clause to follow clause 20:

Disagreed with.

'F. In section 49 of the Principal Act, after sub-section (2) insert—

"(3) If, under sub-section (1A), either House of the Parliament disallows a regulation, no regulation, being the same in substance as the regulation so disallowed shall be made within 6 months after the date of the disallowance unless the resolution to disallow the regulation has been rescinded by the House of the Parliament by which it was passed.

(4) Any regulation made in contravention of sub-section (3) is void.".

No. 46. Insert the following new clause to precede clause 22:

Agreed to, with the following amendments:

Firearms Consultative Committee.

'G. (1) In section 53 (2) of the Principal Act—

(a) in paragraph (a), after "Victoria" insert "appointed from a panel of five persons submitted to the Minister by the Law Institute of Victoria in consultation with the Victorian Bar Council"; and

(b) for paragraph (c) substitute—

"(c) three shall be appointed from a panel of five persons submitted to the Minister by the Shooting Sports Council of Victoria;

(d) one shall be appointed from a panel of three persons submitted to the Minister by the Victorian Farmers Federation;

(e) one shall be appointed from a panel of three persons submitted to the Minister by the Firearm Traders Association.".

1. In paragraph (a) of sub-clause (1) omit "in consultation with the Victorian Bar Council".

2. For paragraph (b) of sub-clause (1) substitute—

'(b) in paragraph (c), after "Act" insert "of whom—

(i) one shall be appointed from a panel of three persons submitted to the Minister by the Shooting Sports Council of Victoria; and

(ii) one shall be appointed from a panel of three persons submitted to the Minister by the Victorian Amateur Pistol Association; and

(iii) one shall be appointed from a panel of three persons submitted to the Minister by the Firearms Traders Association of Victoria; and

(iv) one shall be appointed from a panel of three persons submitted to the Minister by the Victorian Farmers Federation; and

(v) one shall be nominated by the Minister.".

3. For sub-clause (2) substitute—

"(2) Despite section 2, this section comes into operation on 15 October 1988.".

(2) This section comes into operation on the day that is six months after the day on which this Act receives the Royal Assent.

Amendments made by the Legislative Council *How dealt with by the Legislative Assembly*

(3) The Firearms Consultative Committee as constituted after the commencement of this section is the same body as the Firearms Consultative Committee as constituted immediately before that commencement.'

* * * *

The Honourable J. E. Kirner moved, That the Council do not insist on Amendments Nos. 20, 21, 23, 24 and 25 with which the Assembly have disagreed.

Question—put and resolved in the affirmative.

The Honourable J. E. Kirner moved, That the Council do not insist on Amendment No. 45 with which the Assembly have disagreed.

Debate ensued.

Question—put.

The Council divided.

AYES, 17

The Hon. Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. T. Pullen
M. J. Sandon
G. A. Sgro
Evan Walker
D. R. White

NOES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
R. M. Hallam (*Teller*)
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward (*Teller*)
K. I. M. Wright

And so it passed in the negative—Amendment insisted on.

The Honourable J. E. Kirner moved, That the Council agree to the amendments made to Amendment No. 46, with the following amendments:

1. Amendment No. 2, proposed paragraph (b) (i), omit "one" and insert "two".
2. Amendment No. 2, proposed paragraph (b) (i), omit "three" and insert "five".
3. Amendment No. 2, paragraph (b), omit proposed sub-paragraph (v).

Debate ensued.

Question—put and resolved in the affirmative.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council do not insist on some of the amendments with which the Assembly have disagreed, insist on one of their amendments, and have agreed to the amendments made by the Assembly to another amendment with amendments, with which they desire the concurrence of the Assembly.

- 15 **RURAL FINANCE BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

Debate ensued.

The Honourable R. I. Knowles 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 **MENTAL HEALTH (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 17 **RURAL FINANCE BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend Parts I and IV of the 'Accident Compensation Act 1985' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker (for the Honourable D. R. White), 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.

- 19 **STATE BANK BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 20 **CRIMES (CUSTODY AND INVESTIGATION) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 21 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker (for the Honourable D. R. White) moved, That this Bill be now read a second time.

The Honourable H. R. Ward (for the Honourable J. V. C. Guest) 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.

- 22 **CRIMES (FINGERPRINTING) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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 **CARAVAN PARKS AND MOVABLE DWELLINGS BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to regulate caravan parks and to confer tenancy rights on people who live in caravan parks, and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

Accordingly, the Honourable Evan Walker moved, That this Bill be now read a second time.

The Honourable A. J. Hunt (for the Honourable J. G. Miles) 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.

- 24 **TRANSPORT ACCIDENT (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable J. H. Kennan moved, That this Bill be now read a second time.

The Honourable Haddon Storey (for the Honourable R. Lawson) 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.

- 25 **STATE BANK BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable 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 returned to the Assembly with a Message acquainting them that the Council have agreed to the same with amendments, and desiring their concurrence therein.

- 26 **ACCIDENT COMPENSATION (FURTHER AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time and, after further debate, the question being put was resolved in the affirmative.

Bill read a second time and, by leave, 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 **MEDICAL TREATMENT BILL (No. 2)**—The President announced the receipt of a Message from the Assembly 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.

- 28 **TRANSPORT ACCIDENT (AMENDMENT) BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable G. A. Sgro 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.

- 29 **MEDICAL TREATMENT BILL (No. 2)**—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. Insert the following new clauses to follow clause 8:

Agents and guardians.

“AA. (1) An agent or guardian may only refuse medical treatment on behalf of a person if—

- (a) the medical treatment would cause unreasonable distress to the person; or
- (b) there are reasonable grounds for believing that the person, if competent, would consider that the medical treatment was unwarranted.

(2) A person may provide for decisions about medical treatment to be made after he or she becomes incompetent by appointing another person as his or her agent.

(3) The appointment may be by way of—

- (a) an enduring power of attorney (medical treatment); or
- (b) a provision in an enduring power of attorney given under the *Instruments Act 1958* to the same effect as Schedule 2.

(4) An appropriate order may be made under the *Guardianship and Administration Board Act 1986* providing for decisions about medical treatment of a represented person to be made by the person’s guardian.

(5) If the appointment takes the form of an enduring power of attorney (medical treatment) under sub-section (3) (a)—

(a) it must be in the form of Schedule 2 and witnessed by two persons other than the agent to be appointed; and

(b) it takes effect if and only if the person giving the power becomes incompetent.

(6) If a person gives a power of attorney in relation to medical treatment, the power revokes any earlier power given in relation to medical treatment.

(7) The person who makes an appointment under sub-section (3) (a) or (b) may revoke it in the manner provided in section 116 of the *Instruments Act 1958*.

(8) If a medical practitioner and another person are each satisfied that a person's agent or guardian has been informed about the nature of the person's current condition to an extent that would be reasonably sufficient to enable the person, if he or she were competent, to make a decision about whether or not to refuse medical treatment generally or of a particular kind for that condition and that the agent or guardian has appeared to understand that information, the agent or guardian may on behalf of that person—

(a) refuse medical treatment generally; or

(b) refuse medical treatment of a particular kind—

for that condition.

(9) Where a refusal is made by an agent or a guardian, a refusal of treatment certificate must be completed in the form of Schedule 3.

(10) If an agent or guardian completes a refusal of treatment certificate and his or her appointment as agent or guardian is later revoked, that refusal of treatment certificate is also revoked."

Guardianship and Administration Board may revoke authority.

"BB. The Guardianship and Administration Board may revoke an enduring power of attorney (medical treatment) in the manner provided in section 118 of the *Instruments Act 1958*."

2. Insert the following new Schedule to follow Schedule 2:

‘SCHEDULE 3 Sections 3, 7 (1), 9 (8)

REFUSAL OF TREATMENT CERTIFICATE
AGENT OR GUARDIAN OF INCOMPETENT PERSON

I [name] certify that I am empowered to act in relation to decisions about medical treatment of

[name of patient]

I have been appointed to act by—

*an enduring power of attorney (medical treatment) issued under the *Medical Treatment Act 1988*.

*a provision in an enduring power of attorney issued under the *Instruments Act 1958*.

*an order of the Guardianship and Administration Board under the *Guardianship and Administration Board Act 1986*.

I certify that—

(a) the patient has attained the age of 18 years;

(b) I have been informed about the nature of the patient's current condition to an extent that would be reasonably sufficient to enable the patient, if he or she were competent, to make a decision about whether or not to refuse medical treatment generally or of a particular kind for that condition. I now believe that [name of patient] would request that no medical treatment, or no medical treatment of the particular kind mentioned below, be administered to him/her.

On behalf of(name of patient)

in relation to his/her current condition, I refuse—

*medical treatment generally

or

*medical treatment, being
(specify particular kind of medical treatment)

Dated:

Signed:(Agent/Guardian for
(name of patient))

Verification

We certify that we are satisfied that.....

(name of agent or guardian) has been informed about the nature of the patient's current condition to an extent that would be reasonably sufficient, if the patient were competent, to enable him/her to make a decision about whether or not to refuse medical treatment generally or of a particular kind (as the case requires) for that condition and that the agent/guardian appeared to understand that information.

Signed:(Medical Practitioner)

Signed:(Another person)

* Delete whichever is not applicable

Note: "Medical treatment" means the carrying out of—

- (a) an operation; or
- (b) the administration of a drug or other like substance; or
- (c) any other medical procedure—

but does not include palliative care.

"Palliative care" includes—

- (a) the provision of reasonable medical procedures for the relief of pain, suffering and discomfort; or
- (b) the reasonable provision of food and water.

The refusal of palliative care is not covered by the *Medical Treatment Act 1988*.'.

The Honourable D. R. White moved, That the Council agree to Amendment No. 1 made by the Assembly.

Debate ensued.

Question—put and negatived.

The Honourable D. R. White moved, That the following consequential amendments be made to the Bill:

1. Clause 1, lines 9–11, omit paragraph (c).
2. Clause 3, line 28, omit "or of Schedule 3".
3. Clause 7, lines 36–37 and page 4, lines 1–2, omit all words and expressions on these lines and insert "by the patient to whom the certificate applies."
4. Schedule 2, omit this Schedule.

Question—put and resolved in the affirmative.

The Honourable D. R. White moved, That the Council agree to Amendment No. 2 made by the Assembly.

Question—put and negatived.

Ordered—That the Bill be returned to the Assembly with a Message acquainting them that the Council have agreed to one of the amendments made by the Assembly, have disagreed with the other amendment, and have made consequential amendments in the Bill, with which they desire the concurrence of the Assembly.

And the Council having continued to sit until after 12 midnight—

SATURDAY, 7 MAY 1988

- 30 **NATIONAL PARKS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time—

Debate resumed.

The Honourable D. M. Evans 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 the Government prepares a total package to provide protection for the legitimate interests of East Gippsland residents affected by the provisions of the Bill, ensures long-term availability of resource for the timber industry, particularly the value-adding industry, and adequate resource for the establishment and operation of the proposed paper pulp mill”.

The Hon. B. T. Pullen 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 **CARAVAN PARKS AND MOVABLE DWELLINGS BILL**—The Order of the Day was read for the resumption of the debate on the question, That this Bill be now read a second time 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 Honourable K. I. M. Wright 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.

- 32 **STAMPS (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly acquainting the Council that they had made the amendments suggested by the Council, and desiring the concurrence of the Council.

Ordered—That the foregoing Message be referred to the Committee of the whole on the Bill.

The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable K. I. M. Wright having reported that the Committee had agreed to the Bill, including the amendments made by the Assembly on the suggestion of 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 on the suggestion of the Council, without amendment.

- 33 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they had agreed to the amendment made by the Council in this Bill with an amendment, and desiring the concurrence of the Council therein.

Ordered—That the amendment be now taken into consideration.

And the said amendment was read and is as follows:

<i>Amendment made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
Clause 2, line 9, omit "a day or days to be" and insert "the first day of July 1988 or such earlier day or days as are".	Agreed to with the following amendment: Omit "July 1988" and insert "January 1989".

The Honourable Evan Walker moved, That the Council agree to the amendment made by the Assembly to the amendment made by the Council.

The Honourable 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 later this day.

- 34 **TELECOMMUNICATIONS (INTERCEPTION) (STATE PROVISIONS) BILL**—The President announced the receipt of a Message from the Assembly returning this Bill and acquainting the Council that they had agreed to some of the amendments made by the Council, have disagreed with other amendments, and have disagreed with the remaining amendments but have made amendments in the Bill, and desiring the concurrence of the Council therein.

Ordered—That the Message be taken into consideration later this day.

- 35 **PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL**—The President announced the receipt of a Message from the Assembly 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.

- 36 **NATIONAL PARKS (AMENDMENT) BILL (No. 2)**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time, and on the reasoned amendment moved by the Honourable D. M. Evans (for amendment, see item 30 *ante*)—

Debate resumed.

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

The Council divided.

AYES, 33

The Hon. M. J. Arnold
 M. A. Birrell (*Teller*)
 G. P. Connard
 Joan Cocksedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 R. Macey

NOES, 6

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 R. J. Long
 K. I. M. Wright

B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

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, 33

The Hon. M. J. Arnold
 M. A. Birrell
 G. P. Connard (*Teller*)
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 G. A. Sgro
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 6

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 R. J. Long (*Teller*)
 K. I. M. Wright

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 Honourable G. A. Sgro 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.

- 37 **LAND (MISCELLANEOUS MATTERS) BILL (No. 2)**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for the revocation of the permanent reservation of certain lands, to facilitate the exchange of certain other land and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable J. E. Kirner, 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.

- 38 **MESSAGES FROM THE ASSEMBLY**—The President announced the receipt of Messages from the Assembly—

Acquainting the Council that they have agreed to the amendments made by the Council in the following Bills:

Accident Compensation (Disclosure of Information) Bill
 Legal Profession Practice (Incorporation) Bill
 Health (General Amendment) Bill
 Health Services Bill
 Subdivision Bill
 Pipelines (Amendment) Bill
 State Electricity Commission (Amendment) Bill
 Environment Protection (Amendment) Bill (No. 3)
 Mental Health (Amendment) Bill
 Criminal Injuries Compensation (Amendment) Bill
 Marine Bill
 Flora and Fauna Guarantee Bill
 Crimes (Custody and Investigation) Bill
 State Bank Bill
 Transport Accident (Amendment) Bill
 Caravan Parks and Movable Dwellings Bill

Acquainting the Council that they have agreed to the following Bills without amendment:

Pathology Services Accreditation (Amendment) Bill
 Racing (Amendment) Bill (No. 2)
 Cancer (Amendment) Bill
 Crimes (Computers) Bill
 Agricultural Acts (Amendment) Bill (No. 2)

Acquainting the Council that they have now agreed to the amendment made and insisted on by the Council, and agreeing to the amendments made by the Council to the Assembly amendments made to the Council’s amendment in the Firearms (Amendment) Bill (No. 2).

Acquainting the Council that they do not insist on their amendments with which the Council have disagreed and agreeing to the amendments made by the Council in the Medical Treatment Bill (No. 2).

- 39 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL PROCEDURES) BILL**—The Order of the Day having been read for the resumption of the debate on the question, That the Council agree to the amendment made by the Assembly to the amendment made by the Council in this Bill (for amendment see item 33 *ante*)—

Debate resumed.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

40 TELECOMMUNICATIONS (INTERCEPTION) (STATE PROVISIONS) BILL—The Order of the Day having been read for the consideration of the Message from the Assembly relating to amendments made by the Council in this Bill (see item 34 *ante*)—The amendments remaining for consideration by the Council were read and are as follows:

<i>Amendments made by the Legislative Council</i>	<i>How dealt with by the Legislative Assembly</i>
No. 1 Clause 3, page 2, line 28, omit "11" and insert "10".	Disagreed with.
No. 2 Clause 4, omit this clause.	Disagreed with, but the following amendments made: 1. Clause 4, line 8, omit "(1)". 2. Clause 4, lines 11 to 14, omit sub-clause (2) and the following amendment in the Bill: Clause 5, line 30, after "Act" insert— "; and (f) particulars of any telephone application for a Part VI warrant made by the Police Force."
No. 3 Clause 7, page 6, line 7, omit "28" and insert "90".	Disagreed with, but the following amendment made: Clause 7, page 6, lines 7 and 8, omit "issue or revocation of the warrant" and insert "warrant ceases to be in force".
No. 4 Clause 8, line 15, omit "7" and insert "6".	Disagreed with.
* * * * *	
No. 6 Clause 9, line 31, omit "11" and insert "10".	Disagreed with.
No. 7 Clause 12, line 22, omit "11" and insert "10".	
No. 8 Clause 13, line 34, omit "7 (1)" and insert "6".	
* * * * *	
No. 10 Clause 16, line 29, omit "23" and insert "22".	Disagreed with.
No. 11 Clause 17, line 6, omit "16" and insert "15".	
No. 12 Clause 17, line 11, omit "16" and insert "15".	
No. 13 Clause 18, line 18, omit "20" and insert "19".	
No. 14 Clause 20, line 35, omit "16" and insert "15".	
No. 15 Clause 21, line 16, omit "11" and insert "10".	
No. 16 Clause 23, line 36, omit "15" and insert "14".	

The Honourable Evan Walker moved, That the Council do not insist on Amendment No. 1 with which the Assembly have disagreed.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the Council do not insist on Amendments Nos. 2 and 3 with which the Assembly have disagreed, and agree to the amendments made by the Assembly.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the Council do not insist on Amendments Nos. 4, 6, 7, 8, 10, 11, 12, 13, 14, 15 and 16 with which the Assembly have disagreed.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them accordingly.

41 **PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH 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 20, line 18, omit “the unincorporated body known as the Medical Research Centre, Prince Henry’s Hospital or the Medical Research Centre, Prince Henry’s Campus, Monash Medical Centre, in existence at any time” and insert “the Medical Research Centre conducted at Prince Henry’s Hospital Campus, Monash Medical Centre immediately”.
2. Schedule, after “Grant Sinclair Lawry” insert “Gabriele Medley”.
3. Schedule, omit “Alexander Wills Ogilvy
Thomas Ramsay”.

On the motion of the Honourable D. R. White, the Council agreed to the amendments made by the Assembly, and ordered that a Message be sent to the Assembly acquainting them therewith.

42 **LOCAL GOVERNMENT BILL**—The Order of the Day having been read for the resumption of the debate on the question, That this Bill be now read a second time [the Local Government (Consequential Provisions) Bill and the Constitution (Local Government) Bill having been authorized to be debated concurrently on that question pursuant to an Order of the Council on 12 April 1988]—

Question—That this Bill be now read a second time—put and resolved in the affirmative.

Ordered, after debate—That the Bill be committed to a Committee of the whole on the next day of meeting.

43 **PAPERS PURSUANT TO STATUTE**—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Clerk:

Alpine Resorts Commission—Report and statement of accounts for the year ended 31 October 1987.

Border Groundwaters Agreement Review Committee—Report for the year 1986–87.

Parliamentary Committees Act 1968—Minister’s response to recommendations in Natural Resources and Environment Committee’s report upon Access to Victoria’s Parks.

The Honourable Haddon Storey moved, That the Papers tabled by the Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

44 **ADJOURNMENT**—The Honourable Evan Walker 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 Honourable Member by telegram or letter.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 6.02 a.m., adjourned until a day and hour to be fixed by the President, which time of meeting shall be notified to each Honourable Member by telegram or letter.

R. K. EVANS
Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

MINUTES OF THE PROCEEDINGS

Nos. 56 and 57

No. 56—Tuesday, 2 August 1988

1 The Council met in accordance with adjournment, the President, pursuant to resolution, having fixed this day at 3.00 p.m. 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 his being on recreation leave until his retirement becomes effective on 16 August having been announced to the House—

The Honourable Evan Walker 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 **THE LATE HONOURABLE EDWARD RAYMOND MEAGHER, C.B.E., E.D.**—The Honourable Evan Walker moved, That this House expresses its sincere sorrow at the death, on 31 May 1988 of the Honourable Edward Raymond Meagher, C.B.E., E.D., and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as Member of the Legislative Assembly for the Electoral District of Mentone from 1955 to 1967 and the Electoral District of Frankston from 1967 to 1976, Minister without Portfolio from 1961 to 1962, Minister of Immigration in 1962, Minister of Transport from 1962 to 1967 and from 1973 to 1976, Minister of Housing from 1967 to 1972, Minister of Forests from 1967 to 1973, Minister of Aboriginal Affairs from 1967 to 1972 and Chief Secretary from 1972 to 1973.

And other Honourable Members having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

5 **ADJOURNMENT**—The Honourable Evan Walker moved, That, as a further mark of respect to the memory of the late Honourable Edward Raymond Meagher, the House do now adjourn until 8.00 p.m. this day.

Question—put and resolved in the affirmative.

And then the Council, at 3.42 p.m., adjourned until this day at 8.00 p.m.

1 The President took the Chair.

2 **APPOINTMENT OF OFFICERS**—The President announced to the Council that in anticipation of the retirement of the Clerk of the Council, by virtue of the powers conferred upon him by the *Parliamentary Officers Act 1975*, he had nominated Allan Victor Bray to be Clerk of the Legislative Council, Wayne Ronald Tunnecliffe to be Clerk-Assistant and Clerk of Committees, and Matthew Tricarico to be Usher of the Black Rod and Clerk of the Records; and His Excellency the Governor in Council had been pleased to make those appointments to take effect from 16 August 1988.

3 **ASSENT TO ACTS**—The Honourable Evan Walker 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:

On 11 May 1988—

Accident Compensation (Further Amendment) Act.
Deputy Ombudsman (Police Complaints) Act.
Melbourne Corporation (Election of Council) (Amendment) Act.
Public Service (Amendment) Act.
Stamps (Secondary Mortgage Market) Act.

On 17 May 1988—

Accident Compensation (Disclosure of Information) Act.
Cancer (Amendment) Act.
Environment Protection (Amendment) Act.
Hospitals Superannuation Act.
Legal Profession Practice (Incorporation) Act.
Local Authorities Superannuation Act.
National Parks (Amendment) Act.
Pathology Services Accreditation (Amendment) Act.
Pipelines (Amendment) Act.
Racing (Amendment) Act.
Stamps (Amendment) Act.
State Bank Act.
Supply (1988-89, No. 1) Act.
The Constitution Act Amendment (Electoral Procedures) Act.
Transport Accident (Amendment) Act.
Transport Superannuation Act.
Works and Services (Ancillary Provisions, No. 1) Act.

On 24 May 1988—

Agricultural Acts (Amendment) Act.
Crimes (Computers) Act.
Crimes (Custody and Investigation) Act.
Crimes (Fingerprinting) Act.
Criminal Injuries Compensation (Amendment) Act.
Firearms (Amendment) Act.
Medical Treatment Act.
Mental Health (Amendment) Act.
Prince Henry's Institute of Medical Research Act.
Rural Finance Act.
State Electricity Commission (Amendment) Act.
Telecommunications (Interception) (State Provisions) Act.
Flora and Fauna Guarantee Act.
Health (General Amendment) Act.
Health Services Act.
State Superannuation Act.

On 31 May 1988—

Caravan Parks and Movable Dwellings Act.

Marine Act.

Subdivision Act.

- 4 **SUSPENSION OF STANDING ORDERS—QUESTIONS**—The Honourable Evan Walker moved, by leave, That so much of the Standing Orders as require answers to Questions on Notice to be delivered verbally in the House be suspended for the sitting of the Council this day.

Question—put and resolved in the affirmative.

- 5 **PETITION—PUBLIC HOSPITALS CLOSURE**—The Honourable J. V. C. Guest presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

Ordered to lie on the Table.

- 6 **LEGAL AND CONSTITUTIONAL COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Honourable R. J. Long be a member of the Legal and Constitutional Committee.

Question—put and resolved in the affirmative.

7 **PAPERS—**

CUSTODIAN'S REPORT—BLF—The Honourable Evan Walker moved, by leave, That there be laid before this House a copy of Report No. 3 dated 31 May 1988 given to Mr President, pursuant to section 7A of the *BLF (De-recognition) Act 1985*, by the Custodian appointed under section 7 (1) of that Act.

Question—put and resolved in the affirmative.

The said Report was thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

* * * *

ADMINISTRATIVE ARRANGEMENTS—The Honourable Evan Walker moved, by leave, That there be laid before this House copies of Administrative Arrangements Orders Nos. 58 to 63 made pursuant to the *Administrative Arrangements Act 1983*.

Question—put and resolved in the affirmative.

The said Orders were thereupon presented by the Honourable Evan Walker and ordered to lie on the Table.

* * * *

ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE—The Honourable A. J. Hunt presented a Report from the Electoral Reform and Nunawading Re-election Committee upon The Constitution Act Amendment (Electoral Reform) Bill and the Holding and Conduct of the Nunawading Re-election on 17 August 1985, 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.

The Honourable Haddon Storey moved, That the Report be taken into consideration on the next day of meeting cognately with the Order of the Day for the resumption

of the debate on the second reading of The Constitution Act Amendment (Electoral Reform) Bill.

Question—put and resolved in the affirmative.

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

Annual Reporting Act 1983—

Treasurer's advice of 16 May 1988 of extensions of time and exemptions granted to public bodies from the Annual Reporting (Public Sector Superannuation Schemes) Regulations 1987.

Treasurer's advice of 20 July 1988 of extensions of time granted to public bodies from the Annual Reporting (Public Sector Superannuation Schemes) Regulations 1987.

Dandenong Valley Authority—Report and statement of accounts for the year ended 30 September 1987.

Fishing Industry Council—Report and statement of accounts for the year 1985–86.

Marketing of Primary Products Act 1958—

Proclamation of 3 May 1988 declaring that oranges, mandarins and grapefruit shall become the property of the Citrus Fruit Marketing Board for a further period of two years.

Proclamation of 3 May 1988 declaring that tobacco leaf shall become the property of the Tobacco Leaf Marketing Board for a further period of two years.

Melbourne Wholesale Fruit and Vegetable Market Trust—Report, accounts and balance sheets for the year 1985–86.

Monash University—Report of the Council, together with Statutes approved by the Governor in Council, for the year 1986 (four papers).

Museum Council—Report and statement of accounts for the year 1985–86.

National Parks Act 1975—Governor in Council's Order dated 19 July 1988 declaring certain land managed by the Director of National Parks to be land for the purposes of the Act.

Optometrists Registration Board—Report and financial statement for the year 1986–87.

Parliamentary Officers Act 1975—Statements of appointments, alterations of classifications and of persons temporarily employed in the Parliamentary departments for the year 1987–88 (ten papers).

Planning and Environment Act 1987—Notices of approval of the following amendments to planning schemes:

Alberton Planning Scheme—Amendment L1.

Arapiles Planning Scheme—Amendment L2.

Ararat (City) Planning Scheme—Amendment L1.

Bacchus Marsh Planning Scheme—Amendments L2 and L10.

Bairnsdale (Shire) Planning Scheme—Amendments L2 and L3.

Bairnsdale (Town) Planning Scheme—Amendment L4.

Ballaarat (City) Planning Scheme—Amendment L9.

Bass Planning Scheme—Amendments L2 and L4.

Benalla (City) Planning Scheme—Amendments L2, L3 and L4.

Box Hill Planning Scheme—Amendment L2.

Bright Planning Scheme—Amendment L2.

Planning and Environment Act 1987—*continued*

- Broadmeadows Planning Scheme—Amendment L1.
- Bulla Planning Scheme—Amendment L1.
- Camberwell Planning Scheme—Amendment L3.
- Coburg Planning Scheme—Amendment L1.
- Creswick Planning Scheme—Amendments L1 and L2.
- Dandenong Planning Scheme—Amendment L1.
- Donald Planning Scheme—Amendment L1.
- Dunmunkle Planning Scheme—Amendments L1, L2, L3 and L4.
- Euroa Planning Scheme—Amendments L1 and L2.
- Flinders Planning Scheme—Amendments L2, L3, L5 and L11.
- French Island Planning Scheme—Amendment L1.
- Geelong Regional Planning Scheme—Amendment No. R14.
- Goulburn Planning Scheme—Amendment L1.
- Hastings Planning Scheme—Amendment L1.
- Horsham Planning Scheme—Amendment L2.
- Huntly Planning Scheme—Amendment L2.
- Keilor Planning Scheme—Amendment L1.
- Kilmore Planning Scheme—Amendment L11.
- Knox Planning Scheme—Amendment L1.
- Korumburra Planning Scheme—Amendments L2 and L5.
- Lillydale Planning Scheme—Amendments L10, L21 and L27.
- Maffra Planning Scheme—Amendments L8, L10 and L13.
- Mansfield Planning Scheme—Amendment L1.
- Maryborough Planning Scheme—Amendment L1.
- Melbourne Planning Scheme—Amendments L5, L9, L10 and L11.
- Metcalfe Planning Scheme—Amendment L1.
- Metropolitan Region Planning Schemes—Amendments R3, R4, R7, R8, R10, R11, R12, RL1 Part 1, RL1 Part 4, RL11 Part 1, RL12, RL13 Part 1, RL22, RL26 Part 1, RL28, RL30, RL33 and RL36.
- Mildura (City) Planning Scheme—Amendment L2.
- Mirboo Planning Scheme—Amendments L1 and L2.
- Moe Planning Scheme—Amendments L1, L2 and L3.
- Mornington Planning Scheme—Amendment L9.
- Morwell Planning Scheme—Amendments L15 and L16.
- Newham and Woodend Planning Scheme—Amendment L1.
- Oakleigh Planning Scheme—Amendment L2.
- Orbost Planning Scheme—Amendment L5.
- Pakenham Planning Scheme—Amendment L1.
- Phillip Island Planning Scheme—Amendments L3 and L4.
- Portland (City) Planning Scheme—Amendment L2.
- Portland (Shire) Planning Scheme—Amendments L1 and L2.
- Pyalong Planning Scheme—Amendment L1.
- Rosedale Planning Scheme—Amendments L1, L3, L6, L7, L8 and L11.

Planning and Environment Act 1987—*continued*

- Sale Planning Scheme—Amendment L1.
- Shepparton (City) Planning Scheme—Amendments L4 and L8.
- South Gippsland Planning Scheme—Amendment L2.
- Stawell (Town) Planning Scheme—Amendments L1 and L3.
- Swan Hill (City) Planning Scheme—Amendment L2.
- Tallangatta Planning Scheme—Amendment L1.
- Tambo Planning Scheme—Amendments L3, L6, L7 and L15.
- Traralgon (City) Planning Scheme—Amendments L6 and L12.
- Traralgon (Shire) Planning Scheme—Amendment L20.
- Wangaratta (City) Planning Scheme—Amendment L4.
- Warrnambool (City) Planning Scheme—Amendments L1 and L6.
- Waverley Planning Scheme—Amendment L1.
- Westernport Region Planning Schemes—Amendment R1.
- Woorayl Planning Scheme—Amendments L1 and L8.

Police Service Board—

- Determination No. 10 for Police Recruits.
- Determinations Nos. 9 and 10 for the Retired Police Reserve.

Queen Victoria Medical Centre (Guarantee) Act 1982—Notice of 19 May 1988 in respect of a guarantee executed by the Treasurer.

River Murray Commission—Report and financial statements for the year 1986–87.

State Employees Retirement Benefits Board—Report and financial statements for the year 1986–87.

Statutory Rules under the following Acts of Parliament:

- Accident Compensation Act 1985—Nos 199, 274 and 290.
- Aerial Spraying Control Act 1966—No. 230.
- Alpine Resorts Act 1983—Nos. 138 and 175.
- Appeal Costs Act 1964—No. 237.
- Architects Act 1958—No. 205.
- Associations Incorporation Act 1981—No. 182.
- Boilers and Pressure Vessels Act 1970—Nos. 148 and 149.
- Building Control Act 1981—No. 143, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act* 1984, are also required to be laid upon the Table:
 - AS A 123—1963—Mortar for Masonry Construction.
 - AS 1250—1981—SAA Steel Structures Code (as amended).
 - AS 1445—1986—Hot-dipped Zinc-coated or Aluminium-coated Steel Sheet—76 mm Pitch Corrugated.
 - AS 1475, Part 1—1977—SAA Blockwork Code Part 1—Unreinforced Blockwork (as amended).
 - AS 1530.3—1982—Methods for Fire Tests on Building Materials and Structures—Tests for early fire hazard properties of materials.
 - AS 1530.4—1985—Methods for Fire Tests on Building Materials, Components and Structures—Part 4—Fire resistance tests of elements of building construction.

Statutory Rules—*continued*

- AS 1670—1986—Automatic Fire Detection and Alarm Systems—System Design, Installation and Commissioning (as amended).
- AS 1735.11—1986—SAA Lift Code—Part 11 Fire-rated Landing Doors.
- AS 1846—1985—Portable Fire Extinguishers—Powder Type (as amended).
- AS 1848—1985—Portable Fire Extinguishers—Halon Type (as amended).
- AS 1905, Part 1—1984—SAA Fire Door Code Part 1—Fire-resistant Doorsets (as amended).
- AS 1926—1986—Fences and Gates for Private Swimming Pools (as amended).
- AS 2057—1986—Protection of Buildings from Subterranean Termites—Chemical Treatment of Soil for Buildings under Construction.
- AS 2699—1984—Wall Ties for Masonry Construction (as amended).
- AS 2904—1986—Damp-Proof Courses and Flashings.
- AS 2908—1987—Cellulose Cement Products—Corrugated Sheets for Roofing and Cladding.
- AS 2918—1987—Domestic Solid Fuel Burning Appliances—Installation and Nos. 247 and 248.
- Cemeteries Act 1958—No. 265.
- Chiropodists Act 1968—No. 287.
- Construction Industry Long Service Leave Act 1983—No. 150.
- Corrections Act 1986—No. 292.
- Country Fire Authority Act 1958—No. 156.
- County Court Act 1958—Nos. 179 and 225.
- Dandenong Valley Authority Act 1963—No. 216.
- Dangerous Goods Act 1985—
- No. 271, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act* 1984, are also required to be laid upon the Table:
- AS 1940—1988—The Storage and Handling of Flammable and Combustible Liquids.
- AS 1915—1983—Electrical Equipment for Explosive Gas Atmospheres—Battery Operated Vehicles.
- AS 1763—1985—Industrial Trucks—Glossary of Terms.
- AS 2430.1—1987—Classification of Hazardous Areas—Part 1—Explosive Gas Atmospheres.
- AS 2359.1—1985—SAA Industrial Truck Code—Part 1—Design and Manufacture.
- No. 272, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act* 1984, are also required to be laid upon the Table:
- AS 2271—1979—Plywood and Blockboard for Exterior Use.
- AS 2052—1977—Metallic Conduits and Fittings.
- AS 1563—1974—General Purpose Freight Containers (International Sizes).

Statutory Rules—*continued*

Australian Code for the Transport of Dangerous Goods by Road and Rail (Commonwealth of Australia Gazette, 7 April 1987).

AS 1216.1—1984—Classification, Hazard Identification and Information Systems for Dangerous Goods—Part 1—Classification and Class Labels for Dangerous Goods.

AS D26—1972—Tube Fittings with Dryseal American Standard Taper Pipe and Unified Threads for Automotive and Industrial Use.

AS 1221—1983—Fire Hose Reels.

AS 1678 0.0.001—1983—Emergency Procedure Guide—Transport for Vehicles Carrying Dangerous Goods.

AS 1768—1983—Lightning Protection.

AS 1850—1981—Portable Fire Extinguishers Classification, Rating and Fire Testing (as amended).

AS 1851.1—1985—Maintenance of Fire Protection Equipment Part 1—Portable Fire Extinguishers (as amended).

AS 1851, Part 2—1981—Maintenance of Fire Protection Equipment Part 2—Fire Hose Reels.

AS 1940—1988—The Storage and Handling of Flammable and Combustible Liquids.

AS 2053—1984—Non-metallic Conduits and Fittings.

AS 2106—1980—Determination of the Flashpoint of Flammable Liquids (Closed Cup).

AS 2187.1—1984—SAA Explosives Code Part 1—Storage and Land Transport.

AS 2187, Part 2—1983—SAA Explosives Code Part 2—Use of Explosives.

AS 2188—1988—Explosives—Relocatable Magazines for Storage.

AS 2441—1983—Installation of Fire Hose Reels.

AS 2218—1978—Cables for Use in Automotive Vehicles—PVC Insulated Cables having Copper Conductors.

Dental Technicians Act 1972—No. 135.

Drainage Areas Act 1958—No. 244.

Dried Fruits Act 1958—No. 231.

Drugs, Poisons and Controlled Substances Act 1981—No. 206.

Education Act 1958—Nos. 123, 173 and 258.

Emergency Services Superannuation Act 1986—No. 142.

Environment Protection Act 1970—No. 246.

Extractive Industries Act 1966—No. 259, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act* 1984, are also required to be laid upon the Table:

Civil Engineering Surveying and Mapping Extractive Industries—Associate Diploma in Technology Certificate of Technology Studies and other Vocational Development Courses—Department of Civil Engineering Surveying and Extractive Industries, Box Hill College of Technical and Further Education.

AS 1426—1973—Steel Wire Ropes for Mines (Metric Units).

AS 2161—1978—Industrial Safety Gloves and Mittens.

AS 2187, Part 2—1983—SAA Explosives Code Part 2—Use of Explosives.

Statutory Rules—*continued*

- AS 2188—1988—Explosives—Relocatable Magazines for Storage.
- AS 2294—1979—Protective Structures for Operators of Earthmoving Machines.
- AS 1657—1985—SAA Code for Fixed Platforms, Walkways, Stairways, and Ladders.
- AS 1318—1985—SAA Industrial Safety Colour Code.
- AS 1319—1983—Safety Signs for the Occupational Environment.
- AS 1338, Parts 1 to 3, 1981—Filters for Eye Protectors.
- AS 1336—1982—Recommended Practices for Eye Protection in the Industrial Environment.
- AS 1337—1984—Eye Protectors for Industrial Applications.
- AS 2210—1980—Safety Footwear.
- AS 1742.1—1986—Manual of Uniform Traffic Control Devices Part 1—General Introduction and Index of Signs.
- AS 1742.2—1986—Manual of Uniform Traffic Control Devices Part 2—Traffic Control Devices for General Use.
- AS 1418.1—1986—SAA Crane Code Part 1—General Requirements (as amended).
- AS 1418.2—1986—SAA Crane Code Part 2—Serial Hoists and Winches.
- AS 1418.3—1986—SAA Crane Code Part 3—Bridge and Gantry Cranes.
- AS 1418.5—1985—SAA Crane Code Part 5—Mobile and Vehicle-Loading Cranes.
- AS 1940—1982—SAA Flammable and Combustible Liquids Code (as amended).
- AS 2444—1985—Portable Fire Extinguishers—Selection and Location.
- Farm Produce Merchants and Commission Agents Act 1965—No. 188, together with a copy of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act* 1984, is also required to be laid upon the Table.
- Films Act 1971—No. 280.
- Firearms Act 1958—Nos. 158 and 159.
- Fisheries Act 1968—Nos. 116, 184, 185 and 286.
- Forests Act 1958—No. 171.
- Fruit and Vegetables Act 1958—No. 232, together with a copy of the Commonwealth Export Control (Fresh Fruits and Vegetables) Orders which, by section 32 of the *Interpretation of Legislation Act* 1984, is also required to be laid upon the Table.
- Gas and Fuel Corporation Act 1958—No. 210, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act* 1984, are also required to be laid upon the Table:
- BS 3804: Part 1 1964—Methods for the determination of the calorific value of fuel gases—Non-Recording Methods.
- Commonwealth National Measurement Regulations.
- Commonwealth *National Measurement Act* 1960.
- National Association of Testing Authorities, Australia—Rules, October 1981.

Statutory Rules—*continued*

AS 2706—1984—Numerical Values—Rounding and Interpretation of Limiting Values.

Government Employee Housing Authority Act 1981—No. 131, together with a copy of Group 111, Part 4 of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act* 1984, is also required to be laid upon the Table.

Groundwater Act 1969—No. 178, together with a copy of Group III, Part 4 of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act* 1984, is also required to be laid upon the Table.

Hawkers and Pedlers Act 1958—No. 245.

Health Act 1958—Nos. 137, 151 and 241.

Hospitals Superannuation Act 1965—No. 146.

Hospitals Superannuation Act 1988—No. 281.

House Contracts Guarantee Act 1987—No. 117.

Industrial Relations Act 1979—No. 152.

Infertility (Medical Procedures) Act 1984—No. 124, together with a copy of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act* 1984, is also required to be laid upon the Table.

Intellectually Disabled Persons' Services Act 1986—No. 291.

Land Tax Act 1958—No. 214.

Legal Profession Practice Act 1958—No. 236.

Lifts and Cranes Act 1967—

No. 153;

No. 267, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act* 1984, are also required to be laid upon the Table:

Timber Engineering Design Handbook—C.S.I.R.O.

AS 1578—1974—Laminated Timber Scaffold Planks (Metric Units).

AS 1538—1974—SAA Cold-formed Steel Structures Code.

AS 1665—1976—SAA Aluminium Welding Code

ASA B 56.1—1959—American Standard Safety Code for Powered Industrial Trucks.

BS 1839—1952—British Standard Specification for London Pattern Pulley Blocks for Fibre Rope.

BS 2799—1956—British Standard Specification for Power-driven Rail-mounted Tower Cranes.

AS 1250—1975—SAA Steel Structures Code.

AS 1891—1976—Industrial Safety Belts and Harnesses.

AS CB1, Part V—1951—SAA Boiler Code Part V—Welding (as amended).

AS 1554, Part 1—1974—SAA Code for Welding in Building Part 1—Manual Welding.

AS 1554, Part 2—1974—SAA Code for Welding in Building Part 2—Automatic and Semi-automatic Welding.

Statutory Rules—*continued*

- AS 1554, Part 3—1974—SAA Code for Welding in Building Part 3—Welding of Reinforcing Steel.
- AS 1450—1974—Circular and Non-circular Carbon Steel Tubes for Mechanical and General Engineering Purposes.
- SAA Int. 351 Structural Steel in Building.
- AS CA-10—1963—SAA Code for Fixed Platforms, Walkways, Stairways and Ladders.
- AS B104—1964—Chain Blocks Hand Operated.
- AS 1866—1976—Wrought Aluminium and Aluminium Alloy Extruded Rod, Bar Solid and Hollow Shapes for General Engineering Purposes.
- AS 1664—1975—SAA Aluminium Structures Code (Metric Units).
- AS 1418, Part 1—1977—SAA Crane Code Part 1—General Requirements.
- AS 1577—1974—Solid Timber Scaffold Planks.
- AS C126—1958—SAA Approval and Test Specification for extra-low Voltage Transformers.
- AS CB2—1960—SAA Crane and Hoist Code (as amended).
- AS CB1, Parts I to IV—1952—SAA Boiler Code (as amended).
- No. 273, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act* 1984, are also required to be laid upon the Table:

SAA LIFT CODE

- AS 1735.1—1986—Part 1—General Requirements.
- AS 1735.2—1986—Part 2—Passenger and Goods Lifts—Electric (as amended).
- AS 1735.3—1986—Part 3—Passenger and Goods Lifts—Electrohydraulic.
- AS 1735.4—1986—Part 4—Service Lifts—Power Operated.
- AS 1735.5—1986—Part 5—Escalators.
- AS 1735.6—1986—Part 6—Moving Walks.
- AS 1735.7—1987—Part 7—Stairway Lifts.
- AS 1735.8—1986—Part 8—Inclined Lifts.
- AS 1735.10—1986—Part 10—Tests.
- AS 1735.11—1986—Part 11—Fire-rated Landing Doors.
- AS 1735.12—1986—Part 12—Facilities for Persons with Disabilities.
- AS 1735.13—1986—Part 13—Lifts for Persons with Limited Mobility—Manually Powered.
- AS 1657—1985—SAA Code for Fixed Platforms, Walkways, Stairways, and Ladders.
- AS 1801—1981—Industrial Safety Helmets.
- AS 1288, Parts 1 to 3—1979—SAA Glass Installation Code.
- AS 2208—1978—Safety Glazing Materials for Use in Buildings (Human Impact Considerations).
- Local Government Act 1958—Nos. 139 to 141, and 276.
- Lotteries Gaming and Betting Act 1966—Nos. 212 and 213.

Statutory Rules—*continued*

Magistrates' Courts Act 1971—No. 224.

Magistrates' Courts Act 1971—Magistrates (Summary Proceedings) Act 1975—Nos. 169 and 170.

Marketing of Primary Products Act 1958—No. 122.

Medical Practitioners Act 1970—Nos. 136 and 264.

Melbourne and Metropolitan Board of Works Act 1958—Nos. 126, 191 to 197, 201, 227 to 229, and 285.

Metropolitan Fire Brigades Act 1958—Nos. 157 and 250.

Metropolitan Fire Brigades Superannuation Act 1976—No. 147.

Mildura Irrigation Trusts and Sunraysia Water Board Act 1958—Nos. 168, 177 and 215.

Mines Act 1958—No. 155.

Murray-Darling Basin Act 1982—No. 257.

Occupational Health and Safety Act 1985—No. 266, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

AS 1873—1978—Explosive-powered Hand-held Fastening Tools, Fasteners and Explosive Charges.

AS 1337—1984—Eye Protectors for Industrial Applications.

AS 1270—1988—Acoustics—Hearing Protectors.

and Nos. 269 and 270.

Occupational Health and Safety Act 1985—Health Act 1958—No. 268, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

AS 1319—1983—Safety Signs for the Occupational Environment (as amended).

AS 1716—1984—Respiratory Protective Devices.

Penalties and Sentences Act 1985—No. 183.

Pipelines Act 1967—No. 243, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Petroleum (Submerged Lands) Acts—Schedule—Specific Requirements as to Offshore Petroleum Exploration and Production—1985.

AS 2210—1980—Safety Footwear.

AS 1800—1981—The Selection, Care and Use of Industrial Safety Helmets.

AS 1801—1981—Industrial Safety Helmets.

AS 1336—1982—Recommended Practices for Eye Protection in the Industrial Environment.

AS 1337—1984—Eye Protectors for Industrial Applications.

AS 1338, Parts 1 to 3—1981—Filters for Eye Protectors.

AS 1270—1983—Hearing Protection Devices.

Planning and Environment Act 1987—No. 249.

Port of Geelong Authority Act 1958—No. 145.

Statutory Rules—*continued*

Port of Melbourne Authority Act 1958—No. 277, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984* are also required to be laid upon the Table:

International Code of Signals 1985 and Supplement (International Maritime Organization).

International Regulations for Preventing Collisions at Sea 1972, 1985 Edition (International Maritime Organization).

Commonwealth Navigation (Collision) Regulations 1982.

Commonwealth Marine Orders, No. 1 of 1983 Part 30 (Prevention of Collisions).

Commonwealth Navigation (Orders) Regulations 1980 (as amended).

Commonwealth Navigation Act 1912.

Commonwealth Navigation (Manning) Regulations 1981 (as amended).

Commonwealth Marine Order No. 4 of 1987 Part 23—Equipment—Miscellaneous and Safety Measures.

Commonwealth Environment Protection (Nuclear Codes) Act 1978.

Commonwealth Atomic Energy Act 1953.

Commonwealth Environment Protection (Nuclear Codes) Regulations 1981.

Commonwealth Navigation (Tonnage Measurement) Regulations 1985 (as amended).

Commonwealth Marine Order No. 3 of 1985 Part 19—Tonnage Measurement—1969 Convention.

Post-Secondary Education Act 1978—Nos. 129 and 130.

Poultry Processing Act 1968—No. 233.

Private Agents Act 1966—No. 283.

Professional Boxing Control Act 1985—No. 253.

Public Authorities Marks Act 1958—No. 200.

Public Service Act 1974—Nos. 134, 160 and 288; and PSD Nos. 5, and 16 to 33.

Racing Act 1958—Nos. 161 to 166, 211 and 254.

Reference Areas Act 1978—No. 172.

River Improvement Act 1958—Nos. 167, 190 and 223.

Road Safety Act 1986—No. 256.

Rural Finance Act 1988—No. 278.

Sale of Land Act 1962—No. 240.

Scaffolding Act 1971—No. 154.

Second-hand Dealers Act 1958—Nos. 238 and 239.

Sheep Owners Protection Act 1961—No. 284.

Soil Conservation and Land Utilization Act 1958—No. 279.

Sport and Recreation Act 1972—No. 252.

State Bank Act 1958—Nos. 187 and 226.

State Electricity Commission Act 1958—
No. 207;

Statutory Rules—*continued*

No. 209, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

AS 3000—1986—SAA Wiring Rules (as amended).

AS 1931, Part 1—1976—High Voltage Testing Techniques Part 1—General Definitions, Test Requirements, Test Procedures and Measuring Devices.

AS 1931, Part 2—1977—High Voltage Testing Techniques Part 2—Application Guide for Measuring Devices.

Approval and Test Specifications—

AS 3158—1975—Fibrous Insulated Electric Cables and Flexible Cables for Working Voltages of 0.6/1 kV (as amended).

AS 3159—1980—Electronic Sound and Vision Equipment (as amended).

AS 3166—1976—PVC Insulated Cables for Electric Signs and High Voltage Luminous Discharge Tube Installations.

AS 3197—1980—Portable Switching or Control Devices (as amended).

AS 3198—1977—XLPE Insulated Electric Cables for Working Voltages of 0.6/1 kV (as amended).

AS 3178—1975—Silicone Rubber Insulated Electric Cables and Flexible Cables for Working Voltages of 0.6/1 kV (as amended).

AS 3161—1979—Thermostats and Energy Regulators (as amended).

AS 3145—1979—Radio Interference Suppression Devices.

AS 3126—1981—Extra-Low Voltage Transformers (as amended).

AS 3135—1980—Semi-enclosed Fuses for A.C. Circuits (as amended).

AS 3201.2—1971—Electro-medical Equipment Part 2—Electrically Heated Incubators for Babies.

AS 3140—1988—Edison-type Screw Lampholders.

AS 3142—1986—Electric Water Heaters (as amended).

AS 3143—1982—Transformers for Cold Cathode Electric Discharge Lamps and Lighting Systems.

AS 3305—1988—Particular Requirements for Motor Compressors.

AS 3306—1988—Particular Requirements for Spin Extractors.

AS 3308.1-2—1988—Particular Requirements for Vacuum Cleaners and Water Suction Cleaning Appliances Part 1—Vacuum Cleaners—Dry Suction Part 2—Water Suction Cleaning Appliances.

AS 3309—1988—Particular Requirements for Electric Sewing Machines.

AS 3310—1988—Particular Requirements for Range Hoods.

AS 3311—1988—Particular Requirements for Massage Appliances.

AS 3109.1—1987—Appliance Couplers for Household and Similar General Purposes Part 1—General Requirements.

AS 3133—1983—Air Break Switches (as amended).

AS 3194—1986—Electric Shaver Supply Units (as amended).

AS 3307—1987—Particular Requirements for Electric Irons (as amended).

AS 3193—1984—Transformer Type Battery Charges (as amended).

AS 3137—1986—Luminaires (Lighting Fittings) (as amended).

Statutory Rules—*continued*

- AS 3192—1986—Electrically Operated Aquarium Equipment.
- AS 3127—1987—Cord-line Switches (as amended).
- AS 3303—1984—Particular Requirements for Refrigerators and Food Freezers (as amended).
- AS 3111—1983—Miniature Overcurrent Circuit-breakers (as amended).
- AS 3112—1987—Plugs and Socket-outlets (as amended).
- AS 3113—1986—Ceiling Roses.
- AS 3118—1986—Electric Inspection Handlamps.
- AS 3119—1983—Normal Bayonet Lampholder Adaptors.
- AS 3120—1987—Cord Extension Sockets (as amended).
- AS 3121—1982—Insulating Mouldings.
- AS 3122—1985—Plug Socket Adaptors.
- AS 3123—1987—Plugs, Socket-outlets and Couplers for General Industrial Application (as amended).
- AS 3124—1982—Overhead Line Connector Boxes (as amended).
- AS 3125—1986—Electric Dry Shavers and Hair Clippers.
- AS 3147—1981—PVC Insulated Electric Cables and Flexible Cables for Working Voltages up to and including 0.6/1 kV.
- AS 3250—1985—Mains Operated Electronic and Related Equipment for Household and Similar General Use (as amended).
- AS 3211—1986—Ultrasonic Therapy Equipment.
- AS 3210—1986—Microwave Therapy Equipment.
- AS 3202—1979—Electrosurgical Equipment (as amended).
- AS 3203—1981—Electrocardiographs.
- AS 3204—1981—Cardiac Defibrillators.
- AS 3205—1985—Dental and Mobile Diagnostic X-ray Equipment.
- AS 3199—1982—Cord Extension Sets (as amended).
- AS 3200—1986—Electromedical Equipment—General Requirements.
- AS 3300—1988—General Requirements for Household and Similar Electrical Appliances.
- AS 3260—1988—Safety of Information Technology Equipment including Electrical Business Equipment.
- AS 3102—1983—Electric Duct Heaters (as amended).
- AS 3129—1985—Electric Fence Controllers (as amended).
- AS 3128—1986—Portable Lamp Standards and Brackets (as amended).
- AS 3104—1987—Electric Portable Immersion Heaters.
- AS 3100—1985—Definitions and General Requirements for Electrical Materials and Equipment (as amended).
- AS 3101—1985—Electric Bread Toasters (as amended).
- AS 3108.1-2-3—1984—Isolating Transformers and Safety Isolating Transformers.
- Part 1—General Requirements.
- Part 2—Supplementary Requirements—Isolating Transformers.
- Part 3—Supplementary Requirements—Safety Isolating Transformers.

Statutory Rules—*continued*

- AS 3106—1987—Electric Jugs (With non-metallic bodies).
- AS 3105—1987—Electrical Portable Outlet Devices.
- AS 3302—1988—Particular Requirements for Electric Fans.
- AS 3301—1988—Particular Requirements for Microwave Ovens.
- AS 3103—1985—Electric Room Heaters (as amended).
- AS 3156—1987—Electric Lawnmowers (as amended).
- AS 3168—1983—Fluorescent Lamp Ballasts (as amended).
- AS 3143—1982—Transformers for Cold Cathode Electric Discharge Lamps and Lighting Systems.
- AS 3164—1985—Electric Blankets (as amended).
- AS 3163—1985—Electric Washing Machines for Household Use (as amended).
- AS 3155—1986—Neutral Screened Cables for Working Voltages of 0.6/1 kV.
- AS 3157—1986—Electric Floor Polishers.
- AS 3169—1982—Flat, Quick-connect Terminations (as amended).
- AS 3191—1981—Electric Flexible Cords.
- AS 3190—1983—Current-operated (Core Balance) Earth-leakage Devices (as amended).
- AS 3188—1982—Terminations and Glands for Mineral-insulated Metal-sheathed Cables.
- AS 3181—1986—Electrically Operated Projectors for Household and Similar Use.
- AS 3182—1986—Refrigerated Food Commercial Cabinets.
- AS 3184—1986—Electric Dishwashing Machines.
- AS 3185—1986—Electric Rotary Clothes Dryers for Household Use.
- AS 3187—1986—Mineral Insulated Metal-Sheathed Cables.
- AS 3172—1986—Electric Cooking Appliances for Household Use (as amended).
- AS 3162—1986—Electric Food Preparation Appliances for Household Use (as amended).
- AS 3160—1987—Hand-held Portable Electric Tools (as amended).
- AS 3179—1986—Small Self-contained Refrigerated Air Conditioners (as amended).
- AS 3114—1986—Electric Soldering Irons.
- AS 3115—1983—Motor Operated Appliances (as amended).
- AS 3116—1981—Elastomer Insulated Electric Cables and Flexible Cables for Working Voltages up to and including 0.6/1 kV.
- AS 3117—1988—Bayonet Lampholders.
- AS 2420—1987 Fire Test Methods for Solid Insulating Materials and Non-metallic Enclosures used in Electrical Equipment.
- AS 3304—1984—Particular Requirements for Skin or Hair Care Appliances (as amended).
- AS 3209—1986—Short-wave Therapy Equipment.

Statutory Rules—*continued*

- AS 3195—1986—Portable Electric Arc Welding Machines—Transformer Type.
- AS 3196—1986—Electric Clothes Drying Cabinets for Household Use.
- AS 3118—1986—Electric Inspection Handlamps.
- AS 3148—1987—Electric Bed-Warmers.
- AS 3149—1987—Flexible Electric Heating Pads.
- AS 3152—1988—Decorative Lighting Outfits.
- AS 3208—1988—Transformers in Electromedical Equipment.
- AS 3207—1981—Haemodialysis Machines.
- AS 3150—1985—Insect Electrocutors (as amended).
- AS 2768—1985—Electrical Insulating Materials—Evaluation and Classification Based on Thermal Endurance.
- AS 2692—1986—Busbar Trunking Systems (Busways).
- AS 1834.1—1986—Material for Soldering Part 1—Solder Alloys.
- AS 1834.2—1986—Material for Soldering Part 2—Flux-cored Solders.
- AS 1566—1985—Copper and Copper Alloys—Rolled Flat Products.
- AS 1020—1984—The Control of Undesirable Static Electricity.
- AS 2643—1983—Fluorescent Lamp Ballasts—Performance Requirements.
- AS 2644—1983—Capacitors for Use in Discharge Lamp Circuits.
- AS 1201, Parts 1 and 2—1974—Tubular Fluorescent Lamps for General Lighting Service.
- AS 1660—1986—Methods of Test for Electric Cables, Cords and Conductors—
- Part 1—Conductors and Metallic Components.
- Part 2—Insulation, Extruded Semi-conductive Screens and Non-metallic Sheaths.
- Part 3—Electrical Tests.
- Part 4—Complete Cable and Flexible Cord.
- Part 5—Fire Tests.
- Method 5.3 Determination of the Amount of Halogen Acid Gas Evolved During the Combustion of Polymeric Materials Taken from Cables.
- AS 2184—1985—Low Voltage Switchgear and Controlgear—Moulded-Case Circuit Breakers for Rated Voltages up to and including 600 V a.c. and 250 V d.c.
- AS 1939—1986—Classification of Degrees of Protection provided by Enclosures for Electrical Equipment (as amended).
- AS 1125—1986—Conductors in Insulated Electric Cables and Flexible Cords.
- BS 2754—1976—Construction of Electrical Equipment for Protection against Electric Shock (as amended).

Statutory Rules—*continued*

No. 260, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act 1984*, are also required to be laid upon the Table:

Electricity Supply Regulations (Application for Orders) 1984.

Electricity Supply and Construction Regulations 1968.

Code of Practice for L.V. Underground Electricity Services to Properties.
AS 1746—1975—Hard-drawn Copper Conductors for Overhead Power Transmission Purposes.

AS 1531, Part 1—1974—Aluminium Conductors for Overhead Power Transmission Purposes Part 1—All-Aluminium (AAC).

AS 1531, Part 2—1974—Aluminium Conductors for Overhead Power Transmission Purposes Part 2—All Aluminium Alloy (AAAC).

AS 1531.3—1984—Aluminium Conductors for Overhead Power Transmission Purposes Part 3—All-Aluminium Alloy (AAAC/1120) (as amended).

AS 1220, Part 1—1973—Aluminium Conductors Steel Reinforced for Overhead Power Transmission Purposes Part 1—Galvanized Steel Reinforced (ACSR/GZ) (as amended).

AS 1220, Part 2—1974—Aluminium Conductors Steel Reinforced for Overhead Power Transmission Purposes Part 2—Aluminized Steel Reinforced (ACSR/AZ) (as amended).

AS 1220, Part 3—1973—Aluminium Conductors Steel Reinforced for Overhead Power Transmission Purposes Part 3—Aluminium-clad Steel Reinforced (ACSR/AC) (as amended).

AS 1222, Part 1—1973—Steel Conductors and Stays for Overhead Power Transmission Purposes Part 1—Galvanized (SC/GZ) (as amended).

AC 1026—1973—Impregnated Paper Insulated Cables for Electricity Supply at Working Voltages up to and including 33 kV.

AS 3198—1977—Approval and Test Specification for XLPE Insulated Electric Cables for Working Voltages of 0.6/1 kV.

AS 1137, Part 4—1981—Insulators Part 4—Porcelain Stay Insulators.

AS 3600—1988—Concrete Structures.

AS 1250—1981—SAA Steel Structures Code (as amended).

AS 2374—1982—Power Transformers.

Part 1—General Requirements (as amended).

Part 2—Temperature Rise.

Part 3—Insulation Levels and Dielectric Tests.

Part 4—Tappings and Connections.

Part 5—Ability to Withstand Short-circuit.

Part 6—Sound Levels.

AS 1824.1—1985—Insulation Co-ordination (Phase-to-Earth and Phase-to-phase, above 1 kV) Part 1—Basic Principles, Standard Insulation Levels and Test Procedures.

AS 1824.2—1985—Insulation Co-ordination (Phase-to-Earth and Phase-to-phase, above 1 kV) Part 2—Application Guide.

AS 1125—1986—Conductors in Insulated Electric Cables and Flexible Cords.

Statutory Rules—*continued*

- AS 2086—1984—High-Voltage A.C. Switchgear and Controlgear—Metal-enclosed-rated voltages above 1 kV up to and including 72.5 kV.
- AS 2926—1987—Standard Voltages—Alternating (50 HZ and Direct).
- AS 1012—Methods of Testing Concrete—
- Part 1—1981—Method for Sampling Fresh Concrete (as amended).
 - Part 2—1983—Method for the Preparation of Concrete Mixes in the Laboratory.
 - Part 3—1983—Methods for the Determination of Properties related to the Consistence of Concrete.
 - Part 4—1983—Methods for the Determination of Air Content of Freshly Mixed Concrete.
 - Part 5—1983—Method for the Determination of Mass Per Unit Volume of Freshly Mixed Concrete.
 - Part 6—1983—Method for the Determination of Bleeding of Concrete.
 - Part 8—1986—Method for Making and Curing Concrete Compression, Indirect Tensile and Flexure Test Specimens, in the Laboratory or in the Field.
 - Part 9—1986—Method for the Determination of the Compressive Strength of Concrete Specimens.
 - Part 10—1985—Method for the Determination of Indirect Tensile Strength of Concrete Cylinders ('Brazil' or Splitting Test) (as amended).
 - Part 11—1985—Method for the Determination of the Flexural Strength of Concrete Specimens.
 - Part 12—1986—Methods for the Determination of Mass Per Unit Volume of Hardened Concrete.
 - Part 13—1970—Method for the Determination of Drying Shrinkage of Concrete (as amended).
 - Part 14—1973—Method for Securing and Testing Cores from Hardened Concrete for Compressive Strength or Indirect Tensile Strength.
 - Part 15—1979—Method for the Estimation of Portland Cement Content of Hardened Concrete.
 - Part 16—1974—Method for the Determination of Creep of Concrete Cylinders in Compression.
 - Part 17—1976—Methods for the Determination of the Static Cord Modulus of Elasticity and Poisson's Ratio of Concrete Specimens.
 - Part 18—1975—Method for the Determination of Setting Time of Fresh Concrete, Mortar and Grout by Penetration Resistance.
 - Part 19—1988—Accelerated Curing of Concrete Compression Test Specimens (Laboratory or Field)—Hot Water and Warm Water Methods.
- AS 3116—1981—Approval and Test Specification for Elastomer Insulated Electric Cables and Flexible Cables for Working Voltages up to and including 0.6/1 kV.
- AS 3147—1981—Approval and Test Specification for PVC Insulated Electric Cables and Flexible Cables for Working Voltages up to and including 0.6/1 kV.

Statutory Rules—*continued*

AS 3155—1986—Approval and Test Specification—Neutral Screened Cables for Working Voltages of 0.6/1 kV.

AS 1429—1985—Polymeric Insulated Cables for Electricity Supply at Working Voltages 1.9/3.3 kV up to and including 19/33 kV.

AS 1939—1986—Classification of Degrees of Protection provided by Enclosures for Electrical Equipment (as amended).

AS 1650—1981—Galvanized Coatings.

AS 2053—1984—Non-metallic Conduits and Fittings.

AS 1074—1980—Steel Tubes and Tubulars threaded or Suitable for threading with Pipe Threads of Whitworth Form.

AS 2067—1984—Switchgear Assemblies and Ancillary Equipment for Alternating Voltages above 1 kV.

AS 2006—1986—High Voltage A.C. Switchgear and Controlgear—Circuit-breakers for Rated Voltages above 1000V.

International Electrotechnical Commission IEC Standards—

Publication 71-1, 1976—Insulation Co-ordination Part 1: Terms, definitions, principles and rules.

Publication 71-2, 1976—Insulation Co-ordination Part 2: Application Guide.

Publication 71-3, 1982—Insulation Co-ordination Part 3: Phase-to-phase insulation co-ordination Principles, rules and application guide.

Publication 298—1981—A.C. metal-enclosed switchgear and controlgear for rated voltages above 1 kV and up to and including 72.5 kV (and Amendment No. 1).

Publication 56—1987—High-voltage Alternating Current circuit-breakers.

Greater Melbourne Melway Street Directory, Edition 18, 1988.

Map 282266, 6th Edition, published by Road Construction Authority.

State Superannuation Act 1988—No. 282.

Stock Diseases Act 1968—No. 234.

Strata Titles Act 1967—No. 263.

Supreme Court Act 1986—Nos. 180, 181 and 275.

Supreme Court Act 1986—Crimes Act 1958—No. 127.

Supreme Court Act 1988—Legal Profession Practice Act 1958—No. 125.

Survey Co-ordination Act 1958—Nos. 133 and 251.

Teaching Service Act 1981—No. 128.

The Constitution Act Amendment Act 1958—Nos. 144 and 262.

Tobacco Act 1987—No. 174.

Transport Accident Act 1986—

No. 176;

No. 255, together with a copy of Guides to the Evaluation of Permanent Impairment, 2nd Edition which, by section 32 of the *Interpretation of Legislation Act 1984*, is also required to be laid upon the Table.

Transport Superannuation Act 1988—No. 289.

Trustee Act 1958—Nos. 189, and 202 to 204.

Trustee Companies Act 1984—No. 198.

Statutory Rules—*continued*

Valuation of Land Act 1960—No. 132, together with a copy of Group III, Part 4, of the Public Service Determinations 1985 which, by section 32 of the *Interpretation of Legislation Act* 1984, is also required to be laid upon the Table;

and No. 261.

Victoria State Emergency Service Act 1987—No. 121.

Water Act 1958—Nos. 217 to 222.

Water and Sewerage Authorities (Restructuring) Act 1983—No. 186.

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PROCLAMATIONS—Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts were laid upon the Table by the Acting Clerk pursuant to an Order of the Council on 24 February 1987:

Agricultural Acts (Amendment) Act 1988—Sections 1, 2, 6 to 13, 17 to 19, 21 and 24 to 31—1 June 1988 (*Gazette* No. G.20, 1 June 1988; Sections 15 and 16—30 June 1988 (*Gazette* No. G.23, 22 June 1988).

Agricultural Acts (Further Amendment) Act 1987—Sections 29 to 32—29 June 1988 (*Gazette* No. G.24, 29 June 1988).

Animal Preparations Act 1987—Sections 1 to 36 and 38—29 June 1988 (*Gazette* No. G.24, 29 June 1988).

Building Control (General Amendment) Act 1988—Section 9—1 July 1988 (*Gazette* No. G.24, 29 June 1988).

Crimes (Computers) Act 1988—1 June 1988 (*Gazette* No. G.20, 1 June 1988).

Deputy Ombudsman (Police Complaints) Act 1988—11 May 1988 (*Gazette* No. G.17, 11 May 1988).

Extractive Industries (Amendment) Act 1984—Sections 20, 21 and 29—29 June 1988 (*Gazette* No. G.24, 29 June 1988).

Firearms (Amendment) Act 1988—25 May 1988 (*Gazette* No. G.19, 25 May 1988).

Gas and Fuel Corporation (Amendment) Act 1987—22 June 1988 (*Gazette* No. G.23, 22 June 1988).

Health Services Act 1988—Part 11 and sections 1 to 3, 6, 8 to 17, 52 to 56, 139, 193 and 199 to 201—1 July 1988 (*Gazette* No. G.24, 29 June 1988).

Hospitals Superannuation Act 1988—1 July 1988 (*Gazette* No. G.18, 18 May 1988).

Infertility (Medical Procedures) Act 1984—Remaining provisions—1 July 1988 (*Gazette* No. G.16, 4 May 1988).

Infertility (Medical Procedures) (Amendment) Act 1987—1 July 1988 (*Gazette* No. G.16, 4 May 1988).

Jurisdiction of Courts (Cross-vesting) Act 1987—1 July 1988 (*Gazette* No. G.24, 29 June 1988).

Legal Profession Practice (Incorporation) Act 1988—20 May 1988 (*Gazette* No. G.18, 18 May 1988).

Local Authorities Superannuation Act 1988—25 May 1988 (*Gazette* No. G.19, 25 May 1988).

Melbourne Corporation (Election of Council) (Amendment) Act 1988—1 July 1988 (*Gazette* No. G.23, 22 June 1988).

Proclamations—*continued*

- National Parks and Wildlife (Amendment) Act 1988—Section 4 (3)—25 May 1988 (*Gazette* No. G.19, 25 May 1988); remaining sections, except sections 4 (1), 4 (4) and 6—21 June 1988 (*Gazette* No. S.52, 21 June 1988).
- National Parks (Amendment) Act 1987—Remaining provisions—21 June 1988 (*Gazette* No. S.52, 21 June 1988).
- National Parks (Amendment) Act 1988—15 July 1988 (*Gazette* No. G.26, 13 July 1988).
- Penalties and Sentences Act 1985—Section 64—7 June 1988 (*Gazette* No. S.48, 7 June 1988); Sections 45 to 63—21 June 1988 (*Gazette* No. S. 53, 21 June 1988).
- Pipelines (Amendment) Act 1983—30 June 1988 (*Gazette* No. G.24, 29 June 1988).
- Pipelines (Amendment) Act 1988—Whole Act, except section 15—30 June 1988 (*Gazette* No. G.24, 29 June 1988).
- Pipelines (Permits) Act 1984—30 June 1988 (*Gazette* No. G.24, 29 June 1988).
- Property Law (Amendment) Act 1987—1 June 1988 (*Gazette* No. G.20, 1 June 1988).
- Rural Finance Act 1988—1 July 1988 (*Gazette* No. G.24, 29 June 1988).
- Stamps (Secondary Mortgage Market) Act 1988—7 June 1988 (*Gazette* No. S.48, 7 June 1988).
- State Superannuation Act 1988—Remaining provisions—1 July 1988 (*Gazette* No. G.20, 1 June 1988).
- State Bank Act 1988—9 June 1988 (*Gazette* No. G.21, 8 June 1988).
- The Constitution Act Amendment (Electoral Procedures) Act 1988—Sections 7, 8 and 14—18 May 1988 (*Gazette* No. G.18, 18 May 1988).
- Transport Accident (Amendment) Act 1988—Whole Act, except sections 4 (3) and 34 to 37—24 May 1988 (*Gazette* No. S.37, 24 May 1988).
- Transport Superannuation Act 1988—1 July 1988 (*Gazette* No. G.18, 18 May 1988).
- Trustee (Amendment) Act 1986—Remaining provisions—1 July 1988 (*Gazette* No. G.24, 29 June 1988).
- Victoria State Emergency Service Act 1987—2 May 1988 (*Gazette* No. S.30, 28 April 1988).
- Victorian Relief Committee (Amendment) Act 1988—28 June 1988 (*Gazette* No. S.58, 28 June 1988).

* * * *

The Honourable Haddon Storey moved, That the Reports and accounts and Treasurer's advices under the *Annual Reporting Act* 1983 be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

- 8 **ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE**—The Honourable Evan Walker moved, by leave, That the Order of the Council of 10 March 1988 for the establishment of the Electoral Reform and Nunawading Re-election Committee be now discharged.

Question—put and resolved in the affirmative.

- 9 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notice of Motion, Business to take Precedence, be postponed until Tuesday next.

- 10 **LAND (MISCELLANEOUS MATTERS) 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 Honourable G. A. Sgro 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 **WORKCARE (JOINT) COMMITTEE**—The President announced the receipt of a Message from the Assembly acquainting the Council of a Resolution amending their Resolution of 14 November 1987 concerning the appointment of the WorkCare Committee so as to now require the Committee's final report to be presented no later than 14 August 1988, and to extend the effect of the Resolution up to and until 14 August 1988.

Ordered—That the Message be now taken into consideration.

The Honourable Evan Walker moved, by leave, That the Council concur with the Assembly and that its Resolution of 14 November 1987 to establish a Joint Select Committee on WorkCare, as amended on 5 May 1988, be further amended—

- in paragraph 3 so as to now require the Committee's final report to be presented no later than 14 August 1988; and
- in paragraph 18 to extend the effect of the Resolution up to and until 14 August 1988.

Question—put and resolved in the affirmative.

Ordered—That a Message be sent to the Assembly acquainting them therewith.

- 12 **LOCAL GOVERNMENT BILL**—This Bill was, according to Order, committed to a Committee of the whole.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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 **ADJOURNMENT**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.56 p.m., adjourned until tomorrow.

A. V. BRAY

Acting Clerk of the Legislative Council

No. 57—Wednesday, 3 August 1988

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION—NEO-NATAL INTENSIVE CARE UNIT, GEELONG HOSPITAL**—The Honourable C. J. Kennedy presented a Petition from certain citizens of Victoria calling for the establishment of a neo-natal intensive care unit at Geelong Hospital.
Ordered to lie on the Table.

3 PAPERS PURSUANT TO STATUTE—The following Papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:

Groundwater Investigation Program—Report for the year 1986–87.

Statutory Rule No. 208 under the State Electricity Commission Act 1958, together with copies of the following documents which, by section 32 of the *Interpretation of Legislation Act* 1984, are also required to be laid upon the Table:

Australian Standards

AS 3000—1986—SAA Wiring Rules.

AS 1028—1970—Power Reactors and Earthing Transformers.

AS 1026—1973—Impregnated Paper Insulated Cables for Electricity Supply at Working Voltages up to and including 33 kV.

AS 1013—1971—Shunt Capacitors for Connection to Power Frequency Systems.

AS 1265—1974—Bushings for Alternating Voltages above 1000 V.

AS 1896—1976—Method of Test for Ignition Temperature of Gases and Vapours.

AS 1681—1974—Electrically Heated Ovens in which Flammable Volatiles Occur—Type 1 Ovens.

AS 1530—Part 2—1973—Methods for Fire Tests on Building Materials and Structures—Test for Flammability of Materials.

AS 1076—1977—Selection, Installation and Maintenance of Electrical Apparatus and Associated Equipment for Use in Explosive Atmospheres (other than Mining Applications)

Part 1—Basic Requirements.

Part 3—Apparatus with type of Protection “d”—Flameproof Enclosure.

Part 4—Apparatus with type of Protection “i”—Intrinsically Safe Apparatus and Systems.

Part 6—Apparatus with type of Protection “e”—Increased Safety.

Part 7—Apparatus with type of Protection “n”—Non-sparking Apparatus.

Part 8—Apparatus with type of Protection “s”—Special Protection.

Part 13—Installation and Maintenance Requirements for Instrumentation.

AS 1882—1976—Earth and Bonding Clamps.

AS 1883—1976—Guide to Maintenance and Supervision of Insulating Oils in Service.

AS 2052—1977—Metallic Conduits and Fittings.

AS 2005—Fuses with Enclosed Fuse Links (up to and including 1000 V a.c. and 1500 V d.c.)

Part 1—1981—General Requirements.

Part 2—1977—Fuses for Industrial Application.

Part 3—1980—Fuses for Household and Similar Applications.

AS 1202—1976—A.C. Motor Starters (up to and including 1000 V)

Part 2—Star-Delta Starters.

Part 3—Autotransformer Starters.

Part 4—Rheostatic Rotor Starters.

AS 1023—Thermal Protection of Electric Motors.

Part 2—1972—Thermal Overload Protective Devices.

Statutory Rule—*continued*

Part 3—1973—Inherent Overheat Protectors.

AS 1930—1976—Circuit-Breakers for Distribution Circuits (up to and including 1000 V a.c. and 1200 V d.c.)

AS 1979—1976—Flexible Travelling Cables for Electric Lifts.

AS 1711—1975—Asbestos Cement Pressure Pipes.

AS 1722—1975—Pipe Threads of Whitworth Form.

Part 1—Ceiling Pipe Threads.

Part 2—Fastening Pipe Threads.

AS 1532—1974—Short Pitch Transmission Precision Roller Chains and Chain Wheels.

AS 1530, Part 2—1973—Fire Tests on Building Materials and Structures—Test for Flammability for Materials.

AS 1796—1983—SAA Welder Certification Code (as amended).

AS 2082—1979—Visually Stress-Graded Hardwood for Structural Purposes.

AS 1392—1974—Precast Concrete Pressure Pipes.

AS 2269—1979—Structural Plywood.

AS 1656—1974—Steel Wire Ropes (other than for mining purposes).

AS 1750—1975—Steel Sections and Bars for Boilers and Unfired Pressure Vessels.

AS 2069—1977—Method for Verifying the Minimum Elevated Temperature Lower Yield or Proof Stress Properties of Carbon and Low Alloy Steel Products.

AS 1021—1980—Protection by Purging of Electrical Equipment for Explosive Atmospheres.

AS B66—1969—Worm Gearing.

AS B226—1972—Hydraulic Hose.

AS CB15—SAA Pipe Welding Code

Part I—1970—Oxy-Acetylene Welding of Ferritic Steel Piping.

Part III—1967—Arc Welding of Ferritic Steel Piping.

Part V—1968—Flash Butt Welding of Steel Pipes and Tubes.

AS 2118—1982—Automatic Fire Sprinkler Systems (as amended).

AS 1735—1986—SAA Lift Code

Part 1—General Requirements.

Part 2—Passenger and Goods Lifts—Electric (as amended).

Part 3—Passenger and Goods Lifts—Electrohydraulic.

Part 4—Services Lifts—Power Operated.

Part 5—Escalators.

Part 6—Moving Walks.

Part 7—Stairway Lifts.

Part 8—Inclined Lifts.

Part 10—Tests.

Part 11—Fire-Rated Landing Doors.

Part 12—Facilities for Persons with Disabilities.

Part 13—Lifts for Persons with Limited Mobility—Manually Powered.

Statutory Rule—*continued*

- AS 1833—1986—Iron Castings Austenitic Cast Iron.
- AS 2380.7—1987—Electrical Equipment for Explosive Atmospheres—Part 7—Intrinsic Safety “i”.
- AS 1828—1984—Electrical Equipment for Explosive Atmospheres—Cable Glands (as amended).
- AS 1826—1983—Electrical Equipment for Explosive Atmospheres—Special Protection—Type of Protection “s”.
- AS 1825—1982—Electrical Equipment for Explosive Atmospheres—Pressurized Enclosure—Type of Protection “p”.
- AS 1677—1986—Refrigerating Systems (as amended).
- AS 1668—SAA Mechanical Ventilation and Airconditioning Code.
Part 1—1979—Fire Precautions in Buildings with Air-Handling Systems (as amended).
Part 2—1980—Ventilation Requirements.
- AS 1593—1982—Electrical Equipment for Explosive Atmospheres—Increased Safety Apparatus—Type of Protection “e”.
- AS 1530—Methods for Fire Tests on Building Materials, Components and Structures.
Part 1—1984—Combustibility Test for Materials.
Part 3—1982—Test for Early Fire Hazard Properties of Materials.
Part 4—1985—Fire-Resistance Tests of Elements of Building Construction.
- AS 1482—1985—Electrical Equipment for Explosive Atmospheres—Protection by Ventilation—Type of Protection “v”.
- AS 1137—1981—Part 1—Porcelain and Glass Insulators for Overhead Powerlines (for voltages greater than 1000 V a.c.).
- AS 1966—1985—Electric Arc Welding Power Sources.
Part 1—Transformer Type.
Part 2—Rotary Type.
- AS 1905—1984—SAA Fire Door Code.
Part 1—Fire-Resistant Doorsets (as amended) and Supplement 1—1988—Logbook for the Maintenance of Fire-Resistant Doorsets.
Part 2—Fire-Resistant Roller Shutters.
- AS 1881—1986—Zinc Alloys—Casting Ingots and Castings—Quality Requirements.
- AS 3002—1985—Electrical Installations—Shows and Carnivals.
- AS 1136.1—1988—Part 1—Low Voltage Switchgear and Controlgear Assemblies—General Requirements.
- AS 1078—1984—Guide to Loading of Oil-Immersed Transformers.
- AS 1074—1980—Steel Tubes and Tubulars.
- AS 2692—1986—Busbar Trunking Systems (Busways).
- AS 2067—1984—Switchgear Assemblies and Ancillary Equipment for Alternating Voltages Above 1 kV.
- AS 1940—1988—The Storage and Handling of Flammable and Combustible Liquids.

Statutory Rule—*continued*

- AS 1939—1986—Classification of Degrees of Protection Provided by Enclosures for Electrical Equipment (as amended) and Supplement 1—1988—International Protection (IP) Ratings.
- AS 2374—1982—Power Transformers
- Part 1—General Requirements.
 - Part 2—Temperature Rise.
 - Part 3—Insulation Levels and Dielectrics Tests.
 - Part 4—Tappings and Connections.
 - Part 5—Ability to Withstand Short-Circuit.
 - Part 6—Sound Levels.
- AS 2053—1984—Non-Metallic Conduits and Fittings.
- AS 1202.5—1985—A.C. Motor Starters (up to and including 1000 V) Part 5—Semiconductor (Solid State) Starters.
- AS 2184—1985—Moulded-Case Circuit Breakers for Rated Voltages up to and including 600 V a.c. and 250 B d.c.
- AS 3008—1984—Part 1—Cables for Alternating Voltages up to and including 0.6/1 kV.
- AS 1319—1983—Safety Signs for the Occupational Environment (as amended).
- AS 1670—1986—Automatic Fire Detection and Alarm Systems—System Design, Installation, and Commissioning (as amended).
- AS 3006—1982—Adequate Electrical Installations in Domestic Premises.
- AS 2735—1984—Dry-Type Power Transformers.
- AS 2007—1988—Performance of Household Electrical Appliances—Dishwashers.
- AS 1020—1984—The Control of Undesirable Static Electricity.
- AS 1023—1985—Low Voltage Switchgear and Controlgear Protection of Electric Motors—Part 1—Built-in Thermal Detectors and Associated Control Units.
- AS 1775—1984—Low Voltage Switchgear and Controlgear—Air-Break Switches, Isolators and Fuse-Combination Units (up to and including 1000 V a.c. and 1200 V d.c.).
- AS 1768—1983—Lightning Protection.
- AS 1824—1985—Insulation Co-ordination
- Part 1—Basic Principles, Standard Installation Levels and Test Procedures.
 - Part 2—Application Guide.
- AS 1795—1983—Sheets and Boards for Electrical Purposes—Part 1—Classification and General Requirements.
- AS 1202—1981—AC Motor Starters—Part 1—Direct-On-Line (Full Voltage) Starters.
- AS 3600—1988—Concrete Structures.
- AS 1154—1985—Insulator and Conductor Fittings for Overhead Powerlines.
- Part 1—Performance and General Requirements.
 - Part 3—Performance and General Requirements for Helical Fittings.

Statutory Rule—*continued*

- AS 1137—1981—Insulators Part 2—Porcelain and Glass Pin and Shackle Insulators for Overhead Power Lines.
- AS 1477—1988—Unplasticized PVC (Pipes) and Fittings for Pressure Applications—Part 1—Pipes.
- AS 1538—1974—SAA Cold-formed Steel Structures Code.
- AS 1530—Methods for Fire Tests on Building Materials, Components and Structures.
- Part 1—1984—Combustibility Test for Materials.
- Part 3—1982—Test for Early Fire Hazard Properties of Materials.
- Part 4—1985—Fire-resistance Tests of Elements of Building Construction.
- AS 1752—1983—Fibre Rope—Eight-strand Plaited.
- AS 1504—1983—Fibre Rope—Three-strand, Hawser Laid.
- AS 2455—1981—Textile Floor Coverings—Laying Practice.
- AS 1744—1975—Standard Alphabets for Road Signs.
- AS 1259—1982—Sound Level Meters.
- AS 1403—1985—Design of Rotating Steel Shafts (as amended).
- AS 1170—SAA Loading Code
- Part 1—1981—Dead and Live Loads.
- Part 2—1983—Windforces (as amended).
- AS 1680—1976—Interior Lighting and the Visual Environment.
- AS 2544—1982—Grey Iron Pressure Pipes and Fittings.
- AS 2129—1982—Flanges for Pipes, Valves and Fittings (as amended).
- AS 1835—1983—Tubes for Pressure Purposes—Seamless Steel.
- AS 1836—1983—Tubes for Pressure Purposes—Welded Steel.
- AS 2858—1986—Timber—Softwood—Visually Stress-graded for Structural Purposes.
- AS 1448—1981—Carbon Steels and Carbon-Manganese Steels—Forgings.
- AS 1379—1973—Ready-mixed Concrete.
- AS 1315—1982—Portland Cement (as amended).
- AS 1250—1981—SAA Steel Structures Code (as amended).
- AS 2790—1985—Electricity Generating Sets—Transportable.
- AS 2074—1982—Steel Castings.
- AS 1830—1986—Iron Castings—Grey Cast Iron.
- AS 1831—1985—Iron Castings—Spheroidal or Nodular Graphite Cast Iron.
- AS 1832—1985—Iron Castings—Malleable Cast Iron.
- AS 1554—1985—SAA Structural Steel Welding Code.
- Part 1—Welding of Steel Structures (as amended).
- Part 2—1980—Arc Stud Welding (Steel Studs to Steel).
- Part 3—1983—Welding of Reinforcing Steel.
- AS 2208—1978—Safety Glazing Materials for Use in Buildings (Human Impact Considerations).
- AS 1654—1974—Limits and Fits for Engineering.
- AS 1428—1977—Design Rules for Access by the Disabled.
- AS 1288—Parts 1 to 3—1979—SAA Glass Installation Code.

Statutory Rule—*continued*

- AS 2758—1985—Aggregates and Rock for Engineering Purposes—Part 1—Concrete Aggregates.
- AS 2543—1983—Nomenclature of Australian Timbers.
- AS 2440—1981—Sawn Douglas Fir (Oregon) and Sawn Western Hemlock (Canada Pine).
- AS 1418—1986—SAA Crane Code.
- Part 1—General Requirements (as amended).
- Part 2—Serial Hoists and Winches.
- Part 3—Bridge and Gantry Cranes.
- Part 5—Mobile and Vehicle-Loading Cranes.
- Part 7—Builders Hoists and Equipment.
- Part 9—Vehicle Hoists.
- Part 10—Elevating Work Platforms.
- AS 1720—1975—SAA Timber Engineering Code.
- AS 2759—1985—Steel Wire Rope—Application Guide.
- AS 1657—1985—SAA Code for Fixed Platforms, Walkways, Stairways, and Ladders.
- AS 1580—Methods of Test for Paints and Related Materials.
- AS 3010—1987—Part 1—Electrical Installations—Supply by Generating Set Internal Combustion Engine Driven Set (as amended).
- AS 3007—1987—Electrical Installations—Surface Mines and Associated Processing Plant.
- Part 1—Scope and Definitions.
- Part 2—General Protection Requirements.
- Part 3—General Requirements for Equipment and Ancillaries.
- Part 4—Additional Requirements for Specific Applications.
- Part 5—Operating Requirements.
- AS 3006—1982—Adequate Electrical Installations in Domestic Premises.
- AS 3005—1982—Electrical Installations of Tents and Similiar Temporary Structures for Domestic Purposes.
- AS 3004—1983—Electrical Installations—Marinas and Pleasure Craft at Mains Voltage.
- AS 3003—1985—Electrical Installations—Patient Treatment Areas of Hospitals and Medical and Dental Practices.
- AS 3002—1985—Electrical Installations—Shows and Carnivals.
- AS 3001—1985—Electrical Installations—Caravans and Caravan Park Areas (as amended).
- AS 2745—1984—Electrical Welding Safety.
- AS 2676—1983—Installation and Maintenance of Batteries in Buildings.
- AS 2650—1986—High Voltage A.C. Switchgear and Controlgear—Common Requirements.
- AS 2648—1983—Underground Marking Tape—Part 1—Non-Detectable Tape (as amended).
- AS 2627—1983—Thermal Insulation of Dwellings—Design Guide—Part 1—Thermal Insulation of Roof/Ceiling in Dwellings which require Heating.

Statutory Rule—*continued*

- AS 2558—1982—Transformers for Use on Single Wire Earth Return Distribution Systems.
- AS 1154—1985—Insulator and Conductor Fittings for Overhead Power Lines—Part 2—Dimensions.
- AS 1477—Parts 1 to 6—1973—Unplasticized PVC (UPVC) Pipes and Fittings for Pressure Applications.
- AS 1125—1986—Conductors in Insulated Electric Cables and Flexible Cords.
- AS 2326—1980—On-load Changers.
- Part 1—Requirements.
- Part 2—Application Guide.
- AS 2293—1987—Emergency Evacuation Lighting in Buildings.
- Part 1—Design and Installation (as amended).
- Part 2—Inspection and Maintenance.
- AS 2238—1982—Electrical Equipment for Explosive Atmospheres—Non-Sparking Apparatus—Type of Protection “n”.
- AS 2236—1985—Electrical Equipment for Explosive Atmospheres—Dust-Excluding Ignition-Proof (DIP) Enclosure.
- AS 2229—Part 1—1982—Part 1—Flammable Liquid Dispensing Equipment.
- AS 2229.2—Part 2—1988—Part 2—Liquefied Petroleum Gas Dispensing Equipment.
- AS 2220—1978—Emergency Warning and Intercommunication Systems for Buildings.
- AS 2209—1979—Timber Poles for Overhead Lines.
- AS 2106—1980—Determination of the Flashpoint of Flammable Liquids (Closed Cup).
- AS 2480—1986—Electrical Equipment for Explosive Atmospheres—Flameproof Enclosure—Type of Protection “d”.
- AS 2431—1981—Electrical Equipment for Explosive Atmospheres—Encapsulated Apparatus—Type of Protection “m”.
- AS 2430.1—1987—Part 1—Explosive Gas Atmospheres.
- AS 2430.2—1986—Part 2—Combustible Dusts.
- AS 2430.3—1987—Part 3—Specific Occupancies.
- AS 2421—1981—Guide to the Selection and Use of Power Transformers.
- AS 2420—1987—Fire Test Methods for Solid Insulating Materials and Non-Metallic Enclosures Used in Electrical Equipment.
- AS 2419—1988—Fire Hydrant Installations—Part 1—System Design, Installation, and Commissioning.
- AS 2395—1980—Terminals for Switchgear Assemblies for alternating Voltages above 1 kV.
- AS 2380—1985—Electrical Equipment for Explosive Atmospheres—Explosion Protection Techniques—Part 1—General Requirements.
- AS 3123—1987—Approval and Test Specification—Plugs, Socket-Outlets and Couplers for General Industrial Application (as amended).
- MP 37—1987—List of SAA Certified Explosion-Protected Electrical Equipment.

Statutory Rule—*continued*

MP 42—1987—Explosion-Protected Electrical Equipment—Conditions and Procedures for SAA Certification (as amended).

MP 44—Part 1—1979—Guide for the Use of Sound-Measuring Equipment—Part 1—Portable Sound Level Meters.

British Standards

BS 690—Asbestos Cement Slates and Sheets.

Part 2—1981—Specification for Asbestos Cement and Cellulose Asbestos Cement Flat Sheets.

Part 3—1973—Corrugated Sheets.

Part 4—1974—Slates.

Part 5—1975—Lining Sheets and Panels.

Part 6—1976—Fittings for Use with Corrugated Sheets.

BS 46—Part 3—1951—Solid and Split Taper Pins (as amended).

BS 1740—Part 1—1971—Specification for Wrought Steel Pipe Fittings (as amended).

BS 970—Specification for Wrought Steels.

Part 1—1983—General Inspection and Testing Procedures and Specific Requirements for Carbon, Carbon Manganese, Alloy and Stainless Steels (as amended).

Part 4—1970—Valve Steels.

Part 5—1972—Carbon and Alloy Spring Steels for the Manufacture of Hot Formed Springs.

Part 6—1973—SI Metric Values (as amended).

BS 41—1973—Specification for Cast Iron Spigot and Socket Flue or Smoke Pipes and Fittings.

BS 3790—1981—Specification for Endless Wedge Belt Drives and Endless V-Belt Drives.

BS 1600—1970—Specification for Dimensions of Steel Pipe for the Petroleum Industry.

Part 1—Imperial Units.

Part 2—Metric Units.

BS 1640—Specification for Steel Butt-Welding Pipe Fittings for the Petroleum Industry.

Part 1—1962—Wrought Carbon and Ferritic Alloy Steel Fittings (as amended).

Part 2—1962—Wrought and Cast Austenitic Chromium-Nickel Steel Fittings.

Part 3—1968—Wrought Carbon and Ferritic Alloy Steel Fittings Metric Units.

Part 4—1968—Wrought and Cast Austenitic Chromium-Nickel Steel Fittings Metric Units.

CP 1021—1973—Code of Practice for Cathodic Protection.

American Standards

D 2270—86—Standard Practice for Calculating Viscosity Index from Kinematic Viscosity at 40 and 100°C.

D 97—85—Standard Test Method for Pour Point of Petroleum Oils.

Statutory Rule—*continued*

D 93—85—Standard Test Methods for Flash Point by Pensky-Martens Closed Tester.

International Standard

ISO—2020—1984—Aerospace Mechanical System Parts—Preformed Flexible Steel Wire Rope for Aircraft Controls—Technical Specification.

Code of Practice for Overhead Line Construction—Electricity Supply Association of Australia, December 1974 (as amended).

IEC Standard—Publication 800—Heating Cables with a Rated Voltage of 300/500 V for Comfort Heating and Prevention of Ice Formation.

NFPA 325M—Fire Hazard Properties of Flammable Liquids, Gases and Volatile Solids 1984—National Fire Protection Association.

The Honourable B. A. Chamberlain moved, That the Report tabled by the Acting Clerk be taken into consideration on the next day of meeting.

Question—put and resolved in the affirmative.

4 **BUSINESS POSTPONED**—Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 11 inclusive, be postponed until later this day.

5 **CHILD PROTECTION SYSTEM**—The Honourable R. I. Knowles moved, That this House calls on the Government to immediately establish a full and open public inquiry to examine all aspects of the structure, practice, procedure and resourcing of Victoria's inadequate child protection system.

Debate ensued.

Question—put and resolved in the affirmative.

6 **BUSINESS POSTPONED**—Ordered—That the consideration of the Orders of the Day, General Business, be postponed until the next day of meeting.

7 **LOCAL GOVERNMENT BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the Deputy-President left the Chair.

House in Committee.

The President resumed the Chair; and the Honourable G. A. Sgro 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.

8 **ADJOURNMENT**—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday next.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.20 p.m., adjourned until Tuesday next.

A. V. BRAY
Acting Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. HADDON STOREY—To move, That Regulation 27 of the Corrections Regulations 1988 (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 6 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 LAND (MISCELLANEOUS MATTERS) BILL (No. 2)—(*from Assembly—Hon. J. E. Kirner*)—Second reading.
- 2 LOCAL GOVERNMENT BILL—(*from Assembly—Hon. C. J. Hogg*)—To be committed.
- 3 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—Question to be put.
- 4 CONSTITUTION (LOCAL GOVERNMENT) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—Question to be put.
- 5 ESTATE AGENTS (AMENDMENT) BILL—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- §6 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 7 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 8 LORD MAYOR'S COMMUNITY AID BILL—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Lyster).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

* Indicates new entry.

§ Proposals in Bill currently before Electoral Reform and Nunawading Re-election Committee for inquiry and report.

- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;

- (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
- (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

- 11 THE HON. MARIE TEHAN—To move, That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry in developing appropriate technological controls, alternative materials and products and initiatives for re-cycling existing CFC's.

ORDERS OF THE DAY

- 1 CRIMES (RESTITUTION ORDERS) BILL—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 PRIVILEGES COMMITTEE—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 3 CONSUMPTION TAX—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 4 HEALTH MANAGEMENT—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*
- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. R. I. Knowles).*
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate. (Hon. M. J. Sandon).*

- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT—Motion to take note of response and statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. B. P. Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. B. T. Pullen).
- 11 GOVERNMENT LAND—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—Resumption of debate. (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—Second reading—Resumption of debate. (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. H. R. Ward).
- 14 DAYLIGHT SAVING—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—Resumption of debate. (Hon. N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—Resumption of debate. (Hon. Evan Walker).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 20 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(Hon. K. I. M. Wright)—Resumption of debate. (Hon. D. R. White).
- 21 EAST GIPPSLAND FOREST AREAS—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(Hon. D. M. Evans)—Resumption of debate. (Hon. B. W. Mier).
- 22 ALGAL BLOOM, GIPPSLAND LAKES—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(Hon. A. J. Hunt) and amendments of the Hon. R. J. Long—Resumption of debate. (Hon. A. J. Hunt—on the amendment).
- 23 HOSPITAL EMPLOYEES' WAGE INCREASE—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(Hon. K. I. M. Wright)—Resumption of debate. (Hon. D. R. White).

- 24 LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(Hon. R. M. Hallam)—Resumption of debate. (Hon. C. J. Hogg).
- 25 GREENS BUSH—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. A. J. Hunt)—Resumption of debate. (Hon. D. M. Evans).
- 26 CHIROPODISTS REGISTRATION BOARD REPORT, 1987—To be considered.
- 27 NATIONAL PARKS DIRECTOR'S REPORT, 1986-87—To be considered.
- 28 OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87—To be considered.
- 29 POLICE COMPLAINTS AUTHORITY REPORT, PERIOD ENDED 5 MAY 1988—To be considered.
- 30 USE OF ANIMALS FROM MUNICIPAL POUNDS IN SCIENTIFIC PROCEDURES—CODE OF PRACTICE—To be considered.
- 31 HORTICULTURAL EXPORT COUNCIL—MINISTERIAL STATEMENT—To be considered.
- 32 COMMUNITY VIOLENCE—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 33 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS NOTIFIED TO 30 APRIL 1988—To be considered.
- 34 CRIME VICTIMS' SUPPORT SERVICES—MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS—To be considered.
- 35 EGG MARKETING—MINISTERIAL STATEMENT IN RESPONSE TO PUBLIC BODIES REVIEW COMMITTEE'S RECOMMENDATIONS—To be considered.
- 36 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—REGISTRAR'S REPORT, 1986-87—To be considered.
- 37 YOUTH PAROLE BOARD REPORT, 1986-87—To be considered.
- *38 DRINK DRIVERS' MANAGEMENT—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- *39 ALPINE RESORTS COMMISSION REPORT, 1986-87—To be considered.
- *40 BORDER GROUNDWATER AGREEMENT REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- *41 ACCESS TO VICTORIA'S PARKS—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.

R. K. EVANS
Clerk of the Legislative Council

R. A. MACKENZIE
President

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in

burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.

- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.
- 11 **THE HON. MARIE TEHAN**—To move, That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry in developing appropriate technological controls, alternative materials and products and initiatives for re-cycling existing CFC's.
- *12 **THE HON. R. I. KNOWLES**—To move, That this House calls on the Government to immediately establish a full and open public inquiry to examine all aspects of the structure, practice, procedure and resourcing of Victoria's inadequate child protection system.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(Hon. B. A. Chamberlain)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. R. I. Knowles).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. N. B. Reid).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).

- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 20 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 21 EAST GIPPSLAND FOREST AREAS—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. B. W. Mier*).
- 22 ALGAL BLOOM, GIPPSLAND LAKES—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(*Hon. A. J. Hunt*) and amendments of the *Hon. R. J. Long*—*Resumption of debate.* (*Hon. A. J. Hunt—on the amendment*).
- 23 HOSPITAL EMPLOYEES' WAGE INCREASE—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White*).
- 24 LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 25 GREENS BUSH—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 CHIROPODISTS REGISTRATION BOARD REPORT, 1987—To be considered.
- 27 NATIONAL PARKS DIRECTOR'S REPORT, 1986-87—To be considered.
- 28 OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87—To be considered.
- 29 POLICE COMPLAINTS AUTHORITY REPORT, PERIOD ENDED 5 MAY 1988—To be considered.
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- 31 HORTICULTURAL EXPORT COUNCIL—MINISTERIAL STATEMENT—To be considered.
- 32 COMMUNITY VIOLENCE—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
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- 34 CRIME VICTIMS' SUPPORT SERVICES—MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS—To be considered.
- 35 EGG MARKETING—MINISTERIAL STATEMENT IN RESPONSE TO PUBLIC BODIES REVIEW COMMITTEE'S RECOMMENDATIONS—To be considered.

- 36 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—REGISTRAR'S REPORT, 1986-87—To be considered.
- 37 YOUTH PAROLE BOARD REPORT, 1986-87—To be considered.
- 38 DRINK DRIVERS' MANAGEMENT—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 39 ALPINE RESORTS COMMISSION REPORT, 1986-87—To be considered.
- 40 BORDER GROUNDWATER AGREEMENT REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- 41 ACCESS TO VICTORIA'S PARKS—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- *42 BLF (DE-RECOGNITION) ACT 1985—CUSTODIAN'S REPORT, 31 MAY 1988—To be considered.
- §*43 ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE'S REPORT—To be considered.
- *44 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF 16 MAY AND 20 JULY 1988 OF EXTENSION OF TIME AND EXEMPTIONS FROM REGULATIONS GRANTED TO PUBLIC BODIES—To be considered.
- *45 DANDENONG VALLEY AUTHORITY REPORT, 1986-87—To be considered.
- *46 FISHING INDUSTRY COUNCIL REPORT, 1985-86—To be considered.
- *47 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1985-86—To be considered.
- *48 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1986—To be considered.
- *49 MUSEUM COUNCIL REPORT, 1985-86—To be considered.
- *50 OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87—To be considered.
- *51 RIVER MURRAY COMMISSION REPORT, 1986-87—To be considered.
- *52 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1986-87—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—To be further considered in Committee.
- 2 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Question to be put.
- 3 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Question to be put.
- 4 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- §5 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).

- 6 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 7 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

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TUESDAY, 9 AUGUST

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. HADDON STOREY—To move, That Regulation 27 of the Corrections Regulations 1988 (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 5 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

A. V. BRAY
Acting Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Coxsedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

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COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

***LEGAL AND CONSTITUTIONAL (JOINT)**—The Honourables M. J. Arnold, Joan Coxsedge, W. A. Landeryou, R. J. Long, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Coxsedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

***WORKCARE (JOINT)**—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 **THE HON. HADDON STOREY**—To move, That Regulation 27 of the Corrections Regulations 1988 (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 4 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- 1 **LOCAL GOVERNMENT BILL**—(*from Assembly—Hon. C. J. Hogg*)—To be further considered in Committee.
- 2 **LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—Question to be put.
- 3 **CONSTITUTION (LOCAL GOVERNMENT) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—Question to be put.
- 4 **ESTATE AGENTS (AMENDMENT) BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. B. A. Chamberlain*).
- §5 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL** (*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate.* (*Hon. Haddon Storey*).
- 6 **VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 7 **LORD MAYOR'S COMMUNITY AID BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate.* (*Hon. M. A. Lyster*).

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.

§ Cognate matters—To be debated concurrently pursuant to Order of the Council on 2 August 1988.

- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;

- (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
- (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

- 11 **THE HON. MARIE TEHAN**—To move, That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry in developing appropriate technological controls, alternative materials and products and initiatives for re-cycling existing CFC's.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. Evan Walker*).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate.* (*Hon. K. I. M. Wright*).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(*Hon. B. W. Mier*)—*Resumption of debate.* (*Hon. J. V. C. Guest*).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(*Hon. Haddon Storey*)—*Resumption of debate.* (*Hon. R. I. Knowles*).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(*Hon. D. M. Evans*)—*Resumption of debate.* (*Hon. M. J. Sandon*).

- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. N. B. Reid).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- 17 **TAFE**—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 18 **1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT**—To be considered.
- 19 **WORKCARE COMMITTEE'S FIRST REPORT**—To be considered.
- 20 **MOSQUITO BREEDING**—Motion condemning Government for inadequate control measures—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).
- 21 **EAST GIPPSLAND FOREST AREAS**—Motion endorsing call for expressions of interest in pulp mill, recognising deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. B. W. Mier).
- 22 **ALGAL BLOOM, GIPPSLAND LAKES**—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(Hon. A. J. Hunt) and amendments of the Hon. R. J. Long—*Resumption of debate.* (Hon. A. J. Hunt—*on the amendment.*)
- 23 **HOSPITAL EMPLOYEES' WAGE INCREASE**—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).

- 24 LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg*).
- 25 GREENS BUSH—MINISTERIAL STATEMENT—Motion to take note of Statement—(*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans*).
- 26 COMMUNITY VIOLENCE—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 27 MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT 1978—SUMMARY OF VARIATIONS NOTIFIED TO 30 APRIL 1988—To be considered.
- 28 CRIME VICTIMS' SUPPORT SERVICES—MINISTER'S RESPONSE TO LEGAL AND CONSTITUTIONAL COMMITTEE'S RECOMMENDATIONS—To be considered.
- 29 EGG MARKETING—MINISTERIAL STATEMENT IN RESPONSE TO PUBLIC BODIES REVIEW COMMITTEE'S RECOMMENDATIONS—To be considered.
- 30 FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—REGISTRAR'S REPORT, 1986-87—To be considered.
- 31 YOUTH PAROLE BOARD REPORT, 1986-87—To be considered.
- 32 DRINK DRIVERS' MANAGEMENT—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 33 ALPINE RESORTS COMMISSION REPORT, 1986-87—To be considered.
- 34 BORDER GROUNDWATER AGREEMENT REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- 35 ACCESS TO VICTORIA'S PARKS—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- 36 BLF (DE-RECOGNITION) ACT 1985—CUSTODIAN'S REPORT, 31 MAY 1988—To be considered.
- §37 ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE'S REPORT—To be considered.
- 38 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF 16 MAY AND 20 JULY 1988 OF EXTENSION OF TIME AND EXEMPTIONS FROM REGULATIONS GRANTED TO PUBLIC BODIES—To be considered.
- 39 DANDENONG VALLEY AUTHORITY REPORT, 1986-87—To be considered.
- 40 FISHING INDUSTRY COUNCIL REPORT, 1985-86—To be considered.
- 41 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1985-86—To be considered.
- 42 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1986—To be considered.
- 43 MUSEUM COUNCIL REPORT, 1985-86—To be considered.
- 44 OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87—To be considered.

- 45 RIVER MURRAY COMMISSION REPORT, 1986-87—To be considered.
- 46 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1986-87—To be considered.
- *47 GROUNDWATER INVESTIGATION PROGRAM REPORT, 1986-87—To be considered.

A. V. BRAY
Acting Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, R. J. Long, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Cocksedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

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AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICE OF MOTION

- 1 THE HON. HADDON STOREY—To move, That Regulation 27 of the Corrections Regulations 1988 (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 3 sitting days remain for resolving***]
- 2 THE HON. HADDON STOREY—To move, That the Rules of the Council of Legal Education (Amendment No. 1) 1988 (S.R. No. 93/1988) be disallowed. [*Notice given 9 August 1988; 12 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 THE HON. D. M. EVANS—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.
- 2 THE HON. R. LAWSON—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 THE HON. N. B. REID—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 THE HON. M. A. LYSTER—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 THE HON. J. V. C. GUEST—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 THE HON. J. V. C. GUEST—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create

a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.

- 7 THE HON. W. A. LANDERYOU—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 THE HON. W. R. BAXTER—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 THE HON. B. A. CHAMBERLAIN—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 THE HON. J. V. C. GUEST—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
- (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;
 - (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
 - (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
 - (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

- 11 **THE HON. MARIE TEHAN**—To move, That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry in developing appropriate technological controls, alternative materials and products and initiatives for re-cycling existing CFC's.
- *12 **THE HON. W. A. LANDERYOU**—To move, That this House agree to the following Resolution:
We, the Legislative Council of Victoria in Parliament assembled, declare our support for the proposal to increase the maximum term of the House of Representatives, to be put to the people of Australia for decision at the referendum on 3 September 1988, and recommend that the electors of Victoria, regardless of their political allegiance, vote "Yes" to this question.
- *13 **THE HON. W. A. LANDERYOU**—To move, That this House agree to the following Resolution:
We, the Legislative Council of Victoria in Parliament assembled, declare our support for the proposal to extend the right to trial by jury, to extend freedom of religion, and to ensure fair compensation for property acquired by any government, to be put to the people of Australia for decision at the referendum on 3 September 1988 and recommend that the electors of Victoria, regardless of their political allegiance, vote "Yes" to this question.
- *14 **THE HON. W. A. LANDERYOU**—To move, That this House agree to the following Resolution:
We, the Legislative Council of Victoria in Parliament assembled, declare our support for the proposal to provide for fair and democratic elections, to be put to the people of Australia for decision at the referendum on 3 September 1988, and recommend that the electors of Victoria, regardless of their political allegiance, vote "Yes" to this question.
- *15 **THE HON. W. A. LANDERYOU**—To move, That this House agree to the following Resolution:
We, the Legislative Council of Victoria in Parliament assembled, declare our support for the proposal to recognise local government, to be put to the people of Australia for decision at the referendum on 3 September 1988 and recommend that the electors of Victoria, regardless of their political allegiance, vote "Yes" to this question.
- *16 **THE HON. W. A. LANDERYOU**—To move, That this House authorises and requires the Honourable the President to permit the four Notices of Motion, General Business, dealing with proposals to be put to referendum on 3 September 1988 to be moved and debated concurrently.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(*Hon. B. A. Chamberlain*)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(*Hon. Haddon Storey*)—*Resumption of debate. (Hon. Evan Walker).*
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(*Hon. B. T. Pullen*)—*Resumption of debate. (Hon. J. V. C. Guest).*
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. M. A. Birrell*)—*Resumption of debate. (Hon. K. I. M. Wright).*

- 5 COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT—
Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—
Resumption of debate. (Hon. J. V. C. Guest).
- 6 GOVERNMENT SCHOOL SYSTEM—Motion condemning Government for
radical changes resulting in lack of public confidence and calling for urgent
remedial action—(Hon. Haddon Storey)—Resumption of debate. (Hon. R. I.
Knowles).
- 7 ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION—To be considered.
- 8 TEACHER HOUSING—Motion recognizing importance to rural teaching staff
and expressing alarm at policy to sell off, despite opposition from rural
school communities—(Hon. D. M. Evans)—Resumption of debate. (Hon.
M. J. Sandon).
- 9 RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND
RELATED MINISTERIAL STATEMENT—Motion to take note of response
and statement—(Hon. R. I. Knowles)—Resumption of debate. (Hon. B. P.
Dunn).
- 10 PORT MELBOURNE AND ST KILDA RAILWAY—Motion expressing concern
over closure and replacement with light rail route—(Hon. J. V. C. Guest)—
Resumption of debate. (Hon. B. T. Pullen).
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land leased and substantially improved by tenants, and calling for grant to
tenants of first right to purchase—(Hon. B. A. Chamberlain)—Resumption of
debate. (Hon. H. R. Ward).
- 12 CRIMES (CRIMINAL INVESTIGATIONS) BILL—(Hon. B. A. Chamberlain)—
Second reading—Resumption of debate. (Hon. C. F. Van Buren).
- 13 CHEMICAL RESIDUES—MINISTERIAL STATEMENT—Motion to take note of
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- 14 DAYLIGHT SAVING—Motion condemning Government extension despite
previous undertakings—(Hon. K. I. M. Wright)—Resumption of debate. (Hon.
N. B. Reid).
- φ15 STANDING COMMITTEES—Motion for creation by Sessional Order—(Hon.
J. V. C. Guest)—Resumption of debate. (Hon. Evan Walker).
- φ16 STAFFING AND APPROPRIATIONS COMMITTEE—Motion for creation by
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- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES
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- 19 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 20 MOSQUITO BREEDING—Motion condemning Government for inadequate
control measures—(Hon. K. I. M. Wright)—Resumption of debate. (Hon.
D. R. White).
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and local needs, and not condoning the establishment of further areas of
public land as parks pending assessment of forest areas—(Hon. D. M.
Evans)—Resumption of debate. (Hon. B. W. Mier).

- 22 **ALGAL BLOOM, GIPPSLAND LAKES**—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(*Hon. A. J. Hunt*) and amendments of the Hon. R. J. Long—*Resumption of debate.* (*Hon. A. J. Hunt—on the amendment.*)
- 23 **HOSPITAL EMPLOYEES' WAGE INCREASE**—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(*Hon. K. I. M. Wright*)—*Resumption of debate.* (*Hon. D. R. White.*)
- 24 **LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS**—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(*Hon. R. M. Hallam*)—*Resumption of debate.* (*Hon. C. J. Hogg.*)
- 25 **GREENS BUSH—MINISTERIAL STATEMENT**—Motion to take note of Statement—(*Hon. A. J. Hunt*)—*Resumption of debate.* (*Hon. D. M. Evans.*)
- 26 **FRIENDLY SOCIETIES AND BENEFIT ASSOCIATIONS—REGISTRAR'S REPORT, 1986-87**—To be considered.
- 27 **YOUTH PAROLE BOARD REPORT, 1986-87**—To be considered.
- 28 **DRINK DRIVERS' MANAGEMENT—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT**—To be considered.
- 29 **ALPINE RESORTS COMMISSION REPORT, 1986-87**—To be considered.
- 30 **BORDER GROUNDWATER AGREEMENT REVIEW COMMITTEE REPORT, 1986-87**—To be considered.
- 31 **ACCESS TO VICTORIA'S PARKS—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS**—To be considered.
- 32 **BLF (DE-RECOGNITION) ACT 1985—CUSTODIAN'S REPORT, 31 MAY 1988**—To be considered.
- §33 **ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE'S REPORT**—To be considered.
- 34 **ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF 16 MAY AND 20 JULY 1988 OF EXTENSION OF TIME AND EXEMPTIONS FROM REGULATIONS GRANTED TO PUBLIC BODIES**—To be considered.
- 35 **DANDENONG VALLEY AUTHORITY REPORT, 1986-87**—To be considered.
- 36 **FISHING INDUSTRY COUNCIL REPORT, 1985-86**—To be considered.
- 37 **MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1985-86**—To be considered.
- 38 **MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1986**—To be considered.
- 39 **MUSEUM COUNCIL REPORT, 1985-86**—To be considered.
- 40 **OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87**—To be considered.
- 41 **RIVER MURRAY COMMISSION REPORT, 1986-87**—To be considered.
- 42 **STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1986-87**—To be considered.
- 43 **GROUNDWATER INVESTIGATION PROGRAM REPORT, 1986-87**—To be considered.
- *44 **BUILDING SOCIETIES REGISTRAR'S REPORT, 1986-87**—To be considered.

- *45 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1986-87—To be considered.
- *46 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1986-87—To be considered.
- *47 RAPE AND ALLIED OFFENCES—LAW REFORM COMMISSION'S REPORT—To be considered.
- *48 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1987—To be considered.
- *49 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1986 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1986-87—To be considered.

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 TRUSTEE COMPANIES (AMENDMENT) BILL—(from Assembly—Hon. Evan Walker)—Second reading.
- *2 LIBRARIES BILL—(from Assembly—Hon. C. J. Hogg)—Second reading.
- 3 LOCAL GOVERNMENT BILL—(from Assembly—Hon. C. J. Hogg)—To be further considered in Committee.
- 4 LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Question to be put.
- 5 CONSTITUTION (LOCAL GOVERNMENT) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Question to be put.
- §6 THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL (from Assembly—Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. Haddon Storey).
- 7 ESTATE AGENTS (AMENDMENT) BILL—(Hon. Evan Walker)—Second reading—Resumption of debate. (Hon. B. A. Chamberlain).
- *8 BUDGET PAPERS, 1988-89—To be considered.
- 9 VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL—(from Assembly—Hon. C. J. Hogg)—Second reading—Resumption of debate. (Hon. J. V. C. Guest).
- 10 LORD MAYOR'S COMMUNITY AID BILL—(Hon. D. R. White)—Second reading—Resumption of debate. (Hon. M. A. Lyster).

A. V. BRAY
Acting Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, R. J. Long, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Cocksedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

WORKCARE (JOINT)—The Honourables W. R. Baxter, J. L. Dixon, L. A. McArthur and Rosemary Varty.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

MINUTES OF THE PROCEEDINGS

Nos. 58 and 59

No. 58—Tuesday, 9 August 1988

- 1 The President took the Chair and read the Prayer.
- 2 **ASSENT TO ACT**—The Honourable Evan Walker 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-Assistant of the Legislative Council, for and in the absence of the Clerk of the Parliaments:

Land (Miscellaneous Matters) Act.

- 3 **CONSTITUTION (PROPORTIONAL REPRESENTATION) 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 method of election of members of the Legislative Council, to amend the Constitution Act 1975, ‘The Constitution Act Amendment Act 1958’ and the ‘Electoral Commission Act 1982’ and for other purposes*” and desiring the concurrence of the Council therein.

On the the motion of the Honourable Evan Walker, 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—PUBLIC HOSPITALS CLOSURE**—The Honourable M. A Birrell presented a Petition from certain citizens of Victoria opposing Government plans to close and sell public hospitals and calling on the Government to improve the health system.

Ordered to lie on the Table.

- 5 **PAPERS**—

BUDGET PAPERS, 1988–89—The Honourable D. R. White moved, by leave, That there be laid before this House a copy of the following 1988–89 Budget documents:

- (a) Budget Speech (Budget Paper No. 1);
- (b) Budget Strategy and Review (Budget Paper No. 2);
- (c) Estimates of the Expenditure requiring Annual Appropriation (as included in Budget Paper No. 3);
- (d) Consolidated Fund Receipts (Budget Paper No. 4);
- (e) Budget Summary and Program Budget Expenditures (Budget Paper No. 5);
and
- (f) National Accounting Estimates of the Budget (Budget Paper No. 6).

Question—put and resolved in the affirmative.

The said Papers were thereupon presented by the Honourable D. R. White and ordered to lie on the Table.

The Honourable D. R. White moved, by leave, That the Papers tabled pursuant to the foregoing Order be taken into consideration later this day.

Question—put and resolved in the affirmative.

PAPERS PURSUANT TO STATUTE—The following papers, pursuant to the directions of several Acts of Parliament, were laid upon the Table by the Acting Clerk:

Building Societies—Report of the Registrar for the year 1986–87.

Co-operative Housing Societies—Report of the Registrar for the year 1986–87.

Co-operative Societies—Report of the Registrar for the year 1986–87.

Law Reform Commission—Report on Rape and Allied Offences—Procedure and Evidence.

Physiotherapists Registration Board—Report for the year 1987.

Planning and Environment Act 1987—Notices of approval of the following amendments to planning schemes:

Bairnsdale (Town) Planning Scheme—Amendment L2.

Beechworth Planning Scheme—Amendment L3.

Huntly Planning Scheme—Amendment L5.

Knox Planning Scheme—Amendment L4.

Melton Planning Scheme—Amendment L2.

Minhamite Planning Scheme—Amendment L2.

Narracan Planning Scheme—Amendment L5.

Ripon Planning Scheme—Amendment L1.

Rodney Planning Scheme—Amendment L1.

Shepparton (City) Planning Scheme—Amendments L7 and L9.

Tambo Planning Scheme—Amendment L5.

Traralgon (City) Planning Scheme—Amendments L11 and L17.

Winchelsea Planning Scheme—Amendment L1.

Statutory Rules under the following Acts of Parliament:

Motor Car Traders Act 1986—No. 293.

Public Service Act 1974—PSD Nos. 34 and 37.

Veterinary Surgeons Act 1958—No. 235.

Trade Unions—

Report of the Government Statist for the year 1986.

Report of the Registrar of Friendly Societies for the year 1986–87.

The Honourable Haddon Storey 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.

6 **BUSINESS POSTPONED**—Ordered—That the consideration of the Notice of Motion, Business to take Precedence, be postponed until the next day of meeting.

7 **CONSTITUTION (PROPORTIONAL REPRESENTATION) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable Evan Walker moved, That this Bill be now read a second time.

Debate ensued.

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

Debate ensued.

Question—That the debate be now adjourned—put.

The Council divided.

AYES, 16

The Hon. M. J. Arnold (*Teller*)
 Joan Coxedge (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 18

The Hon. W. R. Baxter (*Teller*)
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. G. Miles
 Haddon Storey
 Marie Tehan
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Debate continued.

And the debate having concluded, the President said—

The debate on the second reading having now concluded, I advise honourable members that I am of the opinion that the second and third readings of this Bill require to be passed with the concurrence of an absolute majority of members of the House. From the tenor of the debate I presume that such a vote is to be recorded in a division—in which case the absolute majority question will become apparent—so I propose to call for a vote on the voices initially.

Question—That this Bill be now read a second time—put.

The Council divided.

AYES, 18

The Hon. M. J. Arnold
 Joan Coxedge
 G. R. Crawford (*Teller*)
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 G. A. Sgro
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 F. J. Granter
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. G. Miles
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

The numbers having been reported, the President said—

The result of the division is “Ayes” 18, “Noes” 19.

In accordance with my understanding of the law as previously communicated to the House, I claim a deliberative vote on this question and cast my vote with the "Ayes". The "Ayes", therefore, total 19 and the "Noes" 19.

That being so, an absolute majority has not been obtained and the Bill has not, therefore, received a second reading.

And so it passed in the negative.

- 8 **TRUSTEE COMPANIES (AMENDMENT) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to amend the 'Trustee Companies Act 1984' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable Evan Walker, 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.

- 9 **LIBRARIES BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for "*An Act to constitute a Libraries Board of Victoria and a Council of the State Library of Victoria, to repeal the 'Libraries Act 1958' and the 'Library Council of Victoria Act 1965' and for other purposes*" and desiring the concurrence of the Council therein.

On the motion of the Honourable C. J. Hogg, 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**—The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.37 p.m., adjourned until tomorrow.

A. V. BRAY
Acting Clerk of the Legislative Council

No. 59—Wednesday, 10 August 1988

- 1 The President took the Chair and read the Prayer.
- 2 **PETITION—ELTHAM CEMETERY LAND**—The Honourable J. G. Miles presented a Petition from certain citizens of Victoria opposing the decision of the Minister for Health to rezone the permanent cemetery reservation in Metery Road, Eltham, as parkland and calling for the land to be zoned for permanent burial.
- Ordered to lie on the Table.
- 3 **BUSINESS POSTPONED**—
- Ordered—That the consideration of the Notices of Motion, Business to take Precedence, be postponed until the next day of meeting.
- Ordered—That the consideration of Notices of Motion, General Business, Nos. 1 to 10 inclusive, be postponed until later this day.
- 4 **CHLOROFLUOROCARBONS**—Leave having been granted for the motion to be moved in an amended form, the Honourable Marie Tehan moved—That this House, recognising the dangerous environmental effect of Chlorofluorocarbons (CFC's) and Halons on depletion of the Earth's ozone layer and the need to control their use and manufacture in Victoria, urges the Government to work with industry and the

community in developing appropriate technological controls, alternative materials and products, and initiatives for re-cycling existing CFC's.

Debate ensued.

The Honourable D. E. Henshaw moved, as an amendment—That the following words and expressions be added to the motion: “and, further, that this House endorses the decision of the Australian Environment Ministers Council to develop appropriate and reciprocal Commonwealth–State legislation to reduce the level of chlorofluorocarbon use in Australia and supports the decision of the Minister for Planning and Environment to introduce complementary legislation during this session of Parliament.”.

Debate continued.

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

Question—That the motion, as amended, be agreed to—put and resolved in the affirmative.

5 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Notices of Motion, General Business, and Orders of the Day, General Business, Nos. 1 to 23 inclusive, be postponed until later this day.

6 **LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS**—The Order of the Day having been read for the resumption of the debate on the question, That this House registers its concern over the new formula for distribution of revenue assistance grants to local government (for motion, see page 294 *ante*)—

Debate resumed.

The Honourable K. I. M. 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.

7 **LOCAL GOVERNMENT REFERENDUM PROPOSAL**—The Honourable W. A. Landeryou moved, That this House agree to the following Resolution:

We, the Legislative Council of Victoria in Parliament assembled, declare our support for the proposal to recognise local government, to be put to the people of Australia for decision at the referendum on 3 September 1988 and recommend that the electors of Victoria, regardless of their political allegiance, vote “Yes” to this question.

Debate ensued.

The Honourable K. I. M. Wright 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.

8 **BUSINESS POSTPONED**—Ordered—That the consideration of the remaining Orders of the Day, General Business, be postponed until the next day of meeting.

9 **PUBLIC AUTHORITIES (EQUAL EMPLOYMENT OPPORTUNITY) BILL**—The President announced the receipt of a Message from the Assembly transmitting a Bill for “*An Act to provide for equal employment opportunity programs in public authorities and for other purposes*” and desiring the concurrence of the Council therein.

On the motion of the Honourable D. R. White (for the Honourable Evan Walker), 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 **BUSINESS POSTPONED**—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

- 11 **LOCAL GOVERNMENT BILL**—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole, the President left the Chair.
House in Committee.
The President resumed the Chair; and the Honourable G. A. Sgro 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 the Council have agreed to the same with amendments and desiring their concurrence therein.
- 12 **LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time.
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 Honourable M. J. Arnold 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.
- 13 **CONSTITUTION (LOCAL GOVERNMENT) BILL**—The Order of the Day having been read for the resolution of the question, That this Bill be now read a second time.
Question—put and resolved in the affirmative with the concurrence of an absolute majority of the whole number of the Members of the Legislative Council.
Bill read a third time, by leave, 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.
- 14 **TRUSTEE COMPANIES (AMENDMENT) BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg (for the Honourable Evan Walker) moved, That this Bill be now read a second time.
The Honourable H. R. Ward (for the Honourable 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.
- 15 **LIBRARIES BILL**—The Order of the Day having been read for the second reading of this Bill, the Honourable C. J. Hogg moved, That this Bill be now read a second time.
The Honourable 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 **RETIREMENT OF ROBERT KEEGAN EVANS**—The Honourable Evan Walker moved, That on the eve of the retirement of Mr Robert Keegan Evans from the offices of Clerk of the Parliaments and Clerk of the Legislative Council, this House place on record its high appreciation of the long and valuable services rendered by him to the

Parliament and the State of Victoria as Clerk of the Parliaments and Clerk of the Legislative Council, and in the many other important offices held by him during his thirty-eight and a half years of public service—of which thirty-four years were spent as an officer of the Parliament of Victoria—and its acknowledgement of the zeal, ability and courtesy uniformly displayed by him in the discharge of his duties.

And other Honourable Members and the President having addressed the House—

The question was put and, Honourable Members signifying their assent by rising in their places, unanimously resolved in the affirmative.

17 ADJOURNMENT—The Honourable Evan Walker moved, That the Council, at its rising, adjourn until Tuesday, 30 August 1988.

Question—put and resolved in the affirmative.

The Honourable Evan Walker moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative.

And then the Council, at 11.08 p.m., adjourned until Tuesday, 30 August 1988.

A. V. BRAY
Acting Clerk of the Legislative Council

LEGISLATIVE COUNCIL OF VICTORIA

BUSINESS TO TAKE PRECEDENCE

NOTICES OF MOTION

- 1 **THE HON. HADDON STOREY**—To move, That Regulation 27 of the Corrections Regulations 1988 (S.R. No. 35/1988) be disallowed. [*Notice given 21 April 1988; 2 sitting days remain for resolving***]
- 2 **THE HON. HADDON STOREY**—To move, That the Rules of the Council of Legal Education (Amendment No. 1) 1988 (S.R. No. 93/1988) be disallowed. [*Notice given 9 August 1988; 11 sitting days remain for resolving***]

*** Indicates sitting days remaining, including this day, for resolution of motion to be within statutory disallowance provisions.*

GOVERNMENT BUSINESS

ORDERS OF THE DAY

- *1 **PUBLIC AUTHORITIES (EQUAL EMPLOYMENT OPPORTUNITY) BILL**—(*from Assembly—Hon. Evan Walker*)—Second reading.
- 2 **LIBRARIES BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. H. R. Ward).*
- §3 **THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL** (*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. Haddon Storey).*
- 4 **TRUSTEE COMPANIES (AMENDMENT) BILL**—(*from Assembly—Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 5 **BUDGET PAPERS, 1988-89**—To be considered.
- 6 **ESTATE AGENTS (AMENDMENT) BILL**—(*Hon. Evan Walker*)—Second reading—*Resumption of debate. (Hon. B. A. Chamberlain).*
- 7 **VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL**—(*from Assembly—Hon. C. J. Hogg*)—Second reading—*Resumption of debate. (Hon. J. V. C. Guest).*
- 8 **LORD MAYOR'S COMMUNITY AID BILL**—(*Hon. D. R. White*)—Second reading—*Resumption of debate. (Hon. M. A. Lyster).*

GENERAL BUSINESS

NOTICES OF MOTION

- 1 **THE HON. D. M. EVANS**—To move, That due to severe deficiencies in the funding, administration and operation of the Department of Conservation, Forests and Lands, the Minister for Conservation, Forests and Lands no longer possesses the confidence of this House.

* Indicates new entry.

§ Cognate matters—To be debated concurrently pursuant to Order of the Council on 2 August 1988.

- 2 **THE HON. R. LAWSON**—To move, That this House calls upon the Government to reconsider its policy of selling so-called surplus land and to consult public opinion and future needs before dispersing assets that have been acquired over generations by the people of Victoria.
- 3 **THE HON. N. B. REID**—To move, That this House deplores the continuing late payment of accounts by the Government to the detriment of the business community, and calls upon the Government to bring payment of accounts into line with suppliers' terms of trade by the end of the current financial year.
- 4 **THE HON. M. A. LYSTER**—To move, That this House congratulates the Government for its successful and continuing efforts to raise the status of women in the Victorian community through increased access to education, training and employment opportunities, transport, health, childcare and other support services which enhance the opportunities and options for participation in the wider community.
- 5 **THE HON. J. V. C. GUEST**—To move, That the question of whether the President should be permitted by Standing or Sessional Orders to allow supplementary questions for the elucidation of answers to questions without notice be referred to the Standing Orders Committee for inquiry and report by 1 August 1987 and that, in making its report and recommendation, the Committee have regard to the desirability of maintaining at least the existing daily number of primary questions without notice.
- 6 **THE HON. J. V. C. GUEST**—To move, That this House condemns the Government's insensitivity to the needs and amenity of Port Melbourne residents and the damaging effect of its actions on the confidence of private and business investors by reason of its deceit concerning the plan to create a road serving the proposed Station Pier development along the alignment of the Port Melbourne railway.
- 7 **THE HON. W. A. LANDERYOU**—To move, That there be referred to the Standing Orders Committee for examination and report the question of whether individual Members should be permitted to have no more than one notice of motion in their name standing on the Notice Paper at any one time and, if so, what procedure should be adopted to accommodate this requirement.
- 8 **THE HON. W. R. BAXTER**—To move, That this House, mindful of public concern with the incidence of violent crime; the apparent leniency of sentences imposed on some persons convicted of serious crimes; the reduced sentences served by some prisoners as a result of decisions of the Parole Board or the operation of early release schemes; and the rapid increase in burglaries and house breakings coupled with a decline in the clean up rate for such offences, calls for tougher measures to counteract the crime epidemic afflicting Victoria.
- 9 **THE HON. B. A. CHAMBERLAIN**—To move, That this House notes with concern the instability caused to Victoria's public libraries by the lack of State Government commitment to the public library system and calls on the Government to develop a cohesive policy which guarantees the continuation of existing library services throughout the State.
- 10 **THE HON. J. V. C. GUEST**—To move, That the following Standing Order to be numbered 265A and to be inserted after S.O. 265 be agreed to by the Council:
 - (a) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council

after such explanation as the Council requires if it relates to more than one subject of taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, if a Minister so requests or the Council directs;

- (b) For the purposes of this Standing Order a Bill dealing only with existing subjects of taxation by means of Stamp Duty shall not be a Bill which relates to more than one subject of taxation unless the President or the Council otherwise determines;
- (c) The second reading of a Bill relating to taxation containing provisions which the Legislative Council may not amend shall not be made an Order of the Day except by leave and by resolution of the Council after such explanation as the Council requires if it deals with any subject other than taxation but may be divided by the Clerk into Bills relating severally to each subject of taxation with which it deals, and all other subjects with which it deals as a single Bill, if a Minister so requests or the Council directs; and
- (d) Where a Bill referred to in paragraphs (a) or (c) of this Standing Order has been made an Order of the Day by resolution passed without notice of the motion therefor having been given for a day subsequent to the giving of the same, any Member may require that the question "That the Bill be now read a second time" be not put or that the Bill be not committed and the Bill shall not thereafter be further dealt with, until the Clerk, on the request of a Minister or the direction of the Council, shall have divided the Bill according to the principles contained in the foregoing paragraphs.

11 THE HON. W. A. LANDERYOU—To move, That this House agree to the following Resolution:

We, the Legislative Council of Victoria in Parliament assembled, declare our support for the proposal to increase the maximum term of the House of Representatives, to be put to the people of Australia for decision at the referendum on 3 September 1988, and recommend that the electors of Victoria, regardless of their political allegiance, vote "Yes" to this question.

12 THE HON. W. A. LANDERYOU—To move, That this House agree to the following Resolution:

We, the Legislative Council of Victoria in Parliament assembled, declare our support for the proposal to extend the right to trial by jury, to extend freedom of religion, and to ensure fair compensation for property acquired by any government, to be put to the people of Australia for decision at the referendum on 3 September 1988 and recommend that the electors of Victoria, regardless of their political allegiance, vote "Yes" to this question.

13 THE HON. W. A. LANDERYOU—To move, That this House agree to the following Resolution:

We, the Legislative Council of Victoria in Parliament assembled, declare our support for the proposal to provide for fair and democratic elections, to be put to the people of Australia for decision at the referendum on 3 September 1988, and recommend that the electors of Victoria, regardless of their political allegiance, vote "Yes" to this question.

‡14 THE HON. W. A. LANDERYOU—To move, That this House authorizes and requires the Honourable the President to permit the Notices of Motion, General Business, dealing with proposals to be put to referendum on 3 September 1988 to be moved and debated concurrently.

ORDERS OF THE DAY

- 1 **CRIMES (RESTITUTION ORDERS) BILL**—(Hon. B. A. Chamberlain)—Second reading.
- 2 **PRIVILEGES COMMITTEE**—Motion for appointment—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 3 **CONSUMPTION TAX**—Motion condemning policies advocating introduction in view of burden on wages system and certain income earners—(Hon. B. T. Pullen)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 4 **HEALTH MANAGEMENT—MINISTERIAL STATEMENT**—Motion to take note of Statement—(Hon. M. A. Birrell)—*Resumption of debate.* (Hon. K. I. M. Wright).
- 5 **COMMONWEALTH ASSISTANCE TO STATE AND LOCAL GOVERNMENT**—Motion condemning proposals for withdrawal—(Hon. B. W. Mier)—*Resumption of debate.* (Hon. J. V. C. Guest).
- 6 **GOVERNMENT SCHOOL SYSTEM**—Motion condemning Government for radical changes resulting in lack of public confidence and calling for urgent remedial action—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. R. I. Knowles).
- 7 **ST. KILDA AND PORT MELBOURNE RAIL LINES—PETITION**—To be considered.
- 8 **TEACHER HOUSING**—Motion recognizing importance to rural teaching staff and expressing alarm at policy to sell off, despite opposition from rural school communities—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. M. J. Sandon).
- 9 **RURAL ECONOMICS STUDY—VICTORIAN GOVERNMENT'S RESPONSE AND RELATED MINISTERIAL STATEMENT**—Motion to take note of response and statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. B. P. Dunn).
- 10 **PORT MELBOURNE AND ST KILDA RAILWAY**—Motion expressing concern over closure and replacement with light rail route—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. B. T. Pullen).
- 11 **GOVERNMENT LAND**—Motion condemning Government's method of selling land leased and substantially improved by tenants, and calling for grant to tenants of first right to purchase—(Hon. B. A. Chamberlain)—*Resumption of debate.* (Hon. H. R. Ward).
- 12 **CRIMES (CRIMINAL INVESTIGATIONS) BILL**—(Hon. B. A. Chamberlain)—Second reading—*Resumption of debate.* (Hon. C. F. Van Buren).
- 13 **CHEMICAL RESIDUES—MINISTERIAL STATEMENT**—Motion to take note of Statement—(Hon. R. I. Knowles)—*Resumption of debate.* (Hon. H. R. Ward).
- 14 **DAYLIGHT SAVING**—Motion condemning Government extension despite previous undertakings—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. N. B. Reid).
- φ15 **STANDING COMMITTEES**—Motion for creation by Sessional Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).
- φ16 **STAFFING AND APPROPRIATIONS COMMITTEE**—Motion for creation by Standing Order—(Hon. J. V. C. Guest)—*Resumption of debate.* (Hon. Evan Walker).

- 17 TAFE—Motion condemning Government for creating uncertainty as to future, and calling for outcome of its review to be announced—(Hon. Haddon Storey)—*Resumption of debate.* (Hon. Evan Walker).
- 18 1987-88 ESTIMATES OF RECEIPTS AND PAYMENTS—ESTIMATES COMMITTEE'S REPORT—To be considered.
- 19 WORKCARE COMMITTEE'S FIRST REPORT—To be considered.
- 20 MOSQUITO BREEDING—Motion condemning Government for inadequate control measures—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).
- 21 EAST GIPPSLAND FOREST AREAS—Motion endorsing call for expressions of interest in pulp mill, recognizing deficiencies in balancing resource availability and local needs, and not condoning the establishment of further areas of public land as parks pending assessment of forest areas—(Hon. D. M. Evans)—*Resumption of debate.* (Hon. B. W. Mier).
- 22 ALGAL BLOOM, GIPPSLAND LAKES—Motion acknowledging community concern at algal bloom in Gippsland Lakes and calling for establishment of Committee to assess implications and report to Parliament—(Hon. A. J. Hunt) and amendments of the Hon. R. J. Long—*Resumption of debate.* (Hon. A. J. Hunt—*on the amendment*).
- 23 HOSPITAL EMPLOYEES' WAGE INCREASE—Motion condemning granting of 4 per cent second tier increase without negotiating productivity savings with unions, and deploring decision to deduct the amount involved from payments to hospitals—(Hon. K. I. M. Wright)—*Resumption of debate.* (Hon. D. R. White).
- 24 LOCAL GOVERNMENT REVENUE ASSISTANCE GRANTS—Motion registering concern at impact of new formula and seeking relief to plight of rural municipalities—(Hon. R. M. Hallam)—*Resumption of debate.* (Hon. K. I. M. Wright).
- 25 GREENS BUSH—MINISTERIAL STATEMENT—Motion to take note of Statement—(Hon. A. J. Hunt)—*Resumption of debate.* (Hon. D. M. Evans).
- 26 DRINK DRIVERS' MANAGEMENT—SOCIAL DEVELOPMENT COMMITTEE'S FIRST REPORT—To be considered.
- 27 ALPINE RESORTS COMMISSION REPORT, 1986-87—To be considered.
- 28 BORDER GROUNDWATER AGREEMENT REVIEW COMMITTEE REPORT, 1986-87—To be considered.
- 29 ACCESS TO VICTORIA'S PARKS—MINISTER'S RESPONSE TO NATURAL RESOURCES AND ENVIRONMENT COMMITTEE'S RECOMMENDATIONS—To be considered.
- 30 BLF (DE-RECOGNITION) ACT 1985—CUSTODIAN'S REPORT, 31 MAY 1988—To be considered.
- §31 ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE'S REPORT—To be considered.
- 32 ANNUAL REPORTING ACT 1983—TREASURER'S ADVICES OF 16 MAY AND 20 JULY 1988 OF EXTENSION OF TIME AND EXEMPTIONS FROM REGULATIONS GRANTED TO PUBLIC BODIES—To be considered.
- 33 DANDENONG VALLEY AUTHORITY REPORT, 1986-87—To be considered.
- 34 FISHING INDUSTRY COUNCIL REPORT, 1985-86—To be considered.
- 35 MELBOURNE WHOLESALE FRUIT AND VEGETABLE MARKET TRUST REPORT, 1985-86—To be considered.

- 36 MONASH UNIVERSITY COUNCIL REPORT AND STATUTES, 1986—To be considered.
- 37 MUSEUM COUNCIL REPORT, 1985-86—To be considered.
- 38 OPTOMETRISTS REGISTRATION BOARD REPORT, 1986-87—To be considered.
- 39 RIVER MURRAY COMMISSION REPORT, 1986-87—To be considered.
- 40 STATE EMPLOYEES RETIREMENT BENEFITS BOARD REPORT, 1986-87—To be considered.
- 41 GROUNDWATER INVESTIGATION PROGRAM REPORT, 1986-87—To be considered.
- 42 BUILDING SOCIETIES REGISTRAR'S REPORT, 1986-87—To be considered.
- 43 CO-OPERATIVE HOUSING SOCIETIES REGISTRAR'S REPORT, 1986-87—To be considered.
- 44 CO-OPERATIVE SOCIETIES REGISTRAR'S REPORT, 1986-87—To be considered.
- 45 RAPE AND ALLIED OFFENCES—LAW REFORM COMMISSION'S REPORT—To be considered.
- 46 PHYSIOTHERAPISTS REGISTRATION BOARD REPORT, 1987—To be considered.
- 47 TRADE UNIONS—GOVERNMENT STATIST'S REPORT, 1986 AND REGISTRAR OF FRIENDLY SOCIETIES' REPORT, 1986-87—To be considered.
- *48 LOCAL GOVERNMENT—SEPTEMBER 1988 REFERENDUM PROPOSAL—Motion declaring support of House for proposal to recognize local government and recommending affirmative vote by Victorian Electors—(Hon. W. A. Landeryou)—*Resumption of debate.* (Hon. K. I. M. Wright).

A. V. BRAY
Clerk of the Legislative Council

R. A. MACKENZIE
President

CHAIRMAN OF COMMITTEES AND TEMPORARY CHAIRMEN

CHAIRMAN OF COMMITTEES—The Honourable G. A. Sgro.

TEMPORARY CHAIRMEN—The Honourables M. J. Arnold, Joan Cocksedge, D. E. Henshaw, R. Lawson, R. J. Long, M. J. Sandon and K. I. M. Wright.

* * * *

COMMITTEES

ECONOMIC AND BUDGET REVIEW (JOINT)—The Honourables G. P. Connard, J. V. C. Guest, R. M. Hallam and D. E. Henshaw.

HOUSE (JOINT)—The Honourables the President (*ex-officio*), B. P. Dunn, A. J. Hunt, C. J. Kennedy, W. A. Landeryou and H. R. Ward.

LEGAL AND CONSTITUTIONAL (JOINT)—The Honourables M. J. Arnold, Joan Cocksedge, W. A. Landeryou, R. J. Long, J. McLean and Haddon Storey.

LIBRARY (JOINT)—The Honourables the President, G. P. Connard, B. P. Dunn, C. J. Kennedy and G. A. Sgro.

MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION (JOINT)—The Honourable J. G. Miles.

NATURAL RESOURCES AND ENVIRONMENT (JOINT)—The Honourables R. Lawson, L. A. McArthur, B. W. Mier, B. T. Pullen, N. B. Reid and C. F. Van Buren.

PRINTING—The Honourables the President, M. A. Birrell, Joan Cocksedge, B. P. Dunn, C. J. Kennedy, R. I. Knowles and M. A. Lyster.

PUBLIC BODIES REVIEW (JOINT)—The Honourables D. M. Evans, A. J. Hunt, M. A. Lyster and R. Macey.

SOCIAL DEVELOPMENT (JOINT)—The Honourables W. R. Baxter, R. S. de Fegely and J. L. Dixon.

STANDING ORDERS—The Honourables the President, W. R. Baxter, B. A. Chamberlain, B. P. Dunn, C. J. Kennedy, W. A. Landeryou, B. T. Pullen and Haddon Storey.

SESSIONAL ORDERS

By resolution of the Council on 24 February 1987, the following sitting arrangements will apply unless the House otherwise orders:

Meetings—

Tuesday—3.00 p.m.

Wednesday—2.00 p.m.

Thursday—11.00 a.m.

Business to take precedence—

Tuesday and Thursday—Government business.

Wednesday—General business.

No new business shall be taken after 10.00 p.m.

* * * *

AUTOMATIC DISCHARGE OF ORDERS OF THE DAY

By order of the Council on 24 February 1987, an Order of the Day, General business, for consideration of a Ministerial Statement or a paper tabled either pursuant to Statute, His Excellency's Command or an Order of the House will be discharged from the Notice Paper after five consecutive listings, unless a "take note" motion is pending resolution.

ADJOURNMENT OF BOTH HOUSES AND BEFORE THE

PROROGATION

A Message was received from the Assembly transmitting the State Insurance Office (Amendment) Bill.

A Message was received from His Excellency the Governor informing the Council that he had, on 19 August 1988, given the Royal Assent to the undermentioned Act presented to him by the Clerk of the Parliaments -

Constitution (Local Government) Act.

VICTORIA GOVERNMENT GAZETTE

No. S 77 Monday 29 August 1988

By Authority Jean Gordon Government Printer Melbourne

SPECIAL

PROROGUING THE LEGISLATIVE COUNCIL
AND DISSOLVING THE LEGISLATIVE ASSEMBLY

PROCLAMATION

I, J. Davis McCaughey, Companion of the Order of Australia, Governor of Victoria, acting under sections 8(1), 8(2) and 8(3) of the Constitution Act 1975 and all other powers vested in me, PROROGUE the Legislative Council and DISSOLVE the Legislative Assembly forthwith.

I have today ordered that Writs be issued according to law for a general election of Members to be returned to serve in the Legislative Assembly and for a periodical election of Members to be returned to serve in the Legislative Council.

Given under my Hand and the
Seal of Victoria, at
Melbourne this *twenty-ninth* day
of *August* One
thousand nine hundred
and *eighty-eight*.

J. Davis McCaughey
Governor

By His Excellency's Command

J. Davis
Premier

SIMULTANEOUS ELECTION

Notice is hereby given that his Excellency the Governor will issue Writs for a General Election of Members to serve in the Legislative Assembly of Victoria, and for the Periodical Election of Members to serve in the Legislative Council of Victoria, as follows:-

Date of Issue of Writs	Monday, 29 August 1988
Date for Close of the Rolls	Monday, 5 September 1988
Date of Nomination (before or day on which nominations are to be made)	Friday, 9 September 1988
Day of Polling	Saturday, 1 October 1988
Return of Writs	On or before Friday, 21 October 1988

By His Excellency's Command

LAWRENCE A. FISHER
Clerk of the Executive Council

The Governor's Office
Melbourne, 29 August 1988

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**ECONOMIC AND BUDGET
REVIEW (JOINT)**

*(Appointed 3 April 1985 -
See Act No. 7727 s. 4)*

The Hon. W.R. Baxter
(to 30 April 1987)
G.P. Connard
J.V.C. Guest
R.M. Hallam
(from 30 April 1987)
D.E. Henshaw.

ESTIMATES (JOINT)

(Appointed 24 February 1987)

The Hon. R.M. Hallam
M.A. Lyster
M.J. Sandon
Marie Tehan.

**LEGAL AND CONSTITUTIONAL
(JOINT)**

*(Appointed 3 April 1985 -
See Act No. 7727 s. 4)*

The Hon. M.J. Arnold
Joan Coxsedge
W.A. Landeryou
R.J. Long
(from 2 August 1988)
J. McLean
Haddon Storey.

**MORTUARY INDUSTRY AND
CEMETERIES
ADMINISTRATION (JOINT)**

(Appointed 25 February 1987)
The Hon J.G. Miles.

**ELECTORAL REFORM AND
NUNAWADING RE-ELECTION**

(Appointed 9 March 1988)

The Hon. M.J. Arnold
(from 22 March 1988)
M.A. Birrell
B.P. Dunn
A.J. Hunt
B.W. Mier
(from 22 March 1988).

HOUSE (JOINT)

(Appointed 2 September 1987)

The Hon. B.P. Dunn
A.J. Hunt
C.J. Kennedy
W.A. Landeryou
H.R. Ward.

LIBRARY (JOINT)

*(Appointed 24 February 1987 -
See Act 7727 s. 36)*

The Hon. the President
G.P. Connard
B.P. Dunn
C.J. Kennedy
G.A. Sgro.

**NATURAL RESOURCES AND
ENVIRONMENT (JOINT)**

*(Appointed 3 April 1985 -
See Act No. 7727 s. 4)*

The Hon. R. Lawson
L.A. McArthur
B.W. Mier
B.T. Pullen
N.B. Reid
C.F. Van Buren
(from 7 October 1986).

PRINTING

(Appointed 24 February 1987)

The Hon. the President
M.A. Birrell
Joan Coxsedg
B.P. Dunn
C.J. Kennedy
R.I. Knowles
M.A. Lyster.

SOCIAL DEVELOPMENT (JOINT)

*(Appointed 3 April 1985 - See Act
No. 7727 s. 4)*

The Hon. W.R. Baxter
(from 30 April 1987)
R.S. de Fegely
(from 8 March 1988)
J.L. Dixon
R.M. Hallam
(to 30 April 1987)
R.I. Knowles
(to 8 March 1988).

WORKCARE

(Appointed 30 October 1987)

The Hon. M.J. Arnold
W.R. Baxter
M.A. Birrell
B.A. Chamberlain
J.L. Dixon
B.W. Mier.

PUBLIC BODIES REVIEW (JOINT)

(Appointed 3 April 1985 -

See Act No. 7727 s. 4)

The Hon. D.M. Evans
A.J. Hunt
(from 28 October 1986)
M.A. Lyster
(from 8 March 1988)
R. Macey
M.J. Sandon
(to 8 March 1988).

STANDING ORDERS

(Appointed 24 February 1987)

The Hon. the President
W.R. Baxter
B.A. Chamberlain
B.P. Dunn
C.J. Kennedy
W.A. Landeryou
B.T. Pullen
Haddon Storey.

WORKCARE (JOINT)

(Appointed 14 November 1987)

The Hon. W.R. Baxter
J.L. Dixon
L.A. McArthur
Rosemary Varty.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 1

Wednesday, 18 March 1987

No. 1—GROCERY PRICES BILL—Clause 3 (as amended).

(1) In this Act—

“**Basic grocery item**” means a grocery item declared under section 4.

“**Grocery item**” means an item that is commonly sold in shops for the sale of foodstuffs or groceries but does not include an item that is subject to any price regulation or control under any other law of the State or a law of the Commonwealth.

“**Occupier**” in relation to a shop, includes a person who is the employer of persons who work in business carried on in the shop.

“**Price**” includes a charge of any description.

“**Shop**” means a place in or at which goods are sold or exposed for sale by retail on one or more occasions.

“**Sell**” includes offer for sale.

(2) For the purposes of this Act, a shop is a shop to which this Act applies at a particular time, if, at any time during the period of seven days immediately before that time, the sum of—

(a) the number of persons employed in the shop; and

(b) the number of persons employed in shops of any kind in Victoria by the occupier or manager of the first-mentioned shop; and

(c) if the occupier or manager of the shop is a body corporate, the sum of the number of persons employed in shops of any kind in Victoria by the body corporate and the number of persons so employed by a related body corporate—

was 20 or more.

(3) For the purposes of sub-section (2), a body corporate is a related body corporate in relation to another body corporate if the body corporate is, by reason of section 7 (5) of the *Companies (Victoria) Code*, deemed to be related to the other body corporate.

—(Hon. D. R. White)

Question—That clause 3, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 24

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw

NOES, 16

The Hon. M. A Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. J. Granter
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson

C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon
Evan Walker
D. R. White
K. I. M. Wright

R. J. Long (*Teller*)
R. Macey (*Teller*)
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 2

Wednesday, 8 April 1987

No. 1—NATIONAL PARKS (AMENDMENT) BILL—Clause 1.

The purpose of this Act is to amend the *National Parks Act 1975* to—

- (a) establish new parks; and
- (b) enlarge and vary the boundaries of existing parks.

—(Hon. J. E. Kirner)

Amendment proposed—That the words “new parks” be omitted with the view of inserting in place thereof “a new park”.

—(Hon. D. M. Evans)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 34

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxsedge
G. R. Crawford
R. S. de Fegely
J. L. Dixon
F. J. Granter
J. V. C. Guest
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner
R. I. Knowles (*Teller*)
W. A. Landeryou
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean
R. Macey
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen (*Teller*)
N. B. Reid
M. J. Sandon
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward
D. R. White

NOES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans
R. M. Hallam (*Teller*)
K. I. M. Wright (*Teller*)

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

No. 2—NATIONAL PARKS (AMENDMENT) BILL—Clause 2.

(1) This Act except sections 4 (3), (4), (5), (6), (7), (8) and (9), 5 (1) and (2) comes into operation on the twenty-eighth day after the day on which it receives the Royal Assent.

* * * * *

—(Hon. J. E. Kirner)

Amendment proposed—That the expression “, (4)” be omitted.

—(Hon. D. M. Evans)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 32

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

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

No. 3—NATIONAL PARKS (AMENDMENT) BILL—Clause 2.

[For relevant text see Division No. 2]

Amendment proposed—That the expression “, (5)” be omitted.

—(Hon. D. M. Evans)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 33

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

R. S. de Fegely
 J. L. Dixon (*Teller*)
 F. J. Granter
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward (*Teller*)
 D. R. White

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

No. 4—NATIONAL PARKS (AMENDMENT) BILL—Clause 2.

[For relevant text see Division No. 2]

Amendment proposed—That the expression “, (6), (7)” be omitted.

—(*Hon. D. M. Evans*)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 33

The Hon. M. J. Arnold (*Teller*)
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

Marie Tehan
Rosemary Varty (*Teller*)
H. R. Ward
D. R. White

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

No. 5—NATIONAL PARKS (AMENDMENT) BILL—Clause 2.

[For relevant text see Division No. 2]

Amendment proposed—That the expression “(9)” be omitted.

—(*Hon. D. M. Evans*)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 32

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxsedg (*Teller*)
G. R. Crawford
R. S. de Fegely
J. L. Dixon
F. J. Granter
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner
R. I. Knowles
W. A. Landeryou
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen
N. B. Reid
M. J. Sandon
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward (*Teller*)
D. R. White

NOES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans
R. M. Hallam (*Teller*)
K. I. M. Wright (*Teller*)

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

Thursday, 9 April 1987

No. 6—PLANNING AND ENVIRONMENT BILL—Clause 16.

A planning scheme is binding on every public authority and every municipal council.

—(*Hon. J. H. Kennan*)

Question—That clause 16 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 17

The Hon. M. J. Arnold
Joan Coxsedg
J. L. Dixon (*Teller*)
D. E. Henshaw
J. H. Kennan

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell (*Teller*)
B. A. Chamberlain
G. P. Connard
R. S. de Fegely

C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 Evan Walker
 D. R. White

B. P. Dunn
 D. M. Evans
 F. J. Granter
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

No. 7—PLANNING AND ENVIRONMENT BILL—Clause 38. [As amended to that stage]

* * * * *

(2) An amendment may be revoked wholly or in part by a resolution passed by each House of the Parliament within 10 sitting days after the notice of approval of the amendment is laid before that House.

* * * * *

—(*Hon. J. H. Kennan*)

Amendment proposed—That the word “each” be omitted with the view of inserting in place thereof “either”.

—(*Hon. A. J. Hunt*)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

No. 8—PLANNING AND ENVIRONMENT BILL—Clause 69.

(1) Unless the responsible authority requires the applicant to give notice, the responsible authority must give notice of an application in a prescribed form—

(a) to the owners of allotments adjoining the land to which the application applies unless the planning scheme exempts it; and

(b) to the occupiers of any piece of Crown land adjoining the land to which the application applies unless the planning scheme exempts it; and

* * * * *

—(Hon. J. H. Kennan)

Amendment proposed—That paragraphs (a) and (b) be omitted with the view of inserting in place thereof—

“() to the owners and occupiers of allotments adjoining the land to which the application applies unless the planning scheme exempts it or the responsible authority is satisfied that the grant of the permit would not cause material detriment to any person; and”.

—(Hon. A. J. Hunt)

Question—That the paragraphs proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 16

The Hon. M. J. Arnold
G. R. Crawford
J. L. Dixon
D. E. Henshaw
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster (Teller)
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen (Teller)
M. J. Sandon
Evan Walker

NOES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely (Teller)
B. P. Dunn
D. M. Evans
R. M. Hallam
A. J. Hunt
R. I. Knowles (Teller)
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Marie Tehan
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 3

Tuesday, 14 April 1987

No. 1—NATIONAL PARKS (AMENDMENT) BILL—Schedule.

* * * * *

PART B

Amendments to Schedule Three to the Principal Act

* * * * *

(d) After Part 17 insert:

“Part 17A—BLACK RANGE PARK

All those pieces or parcels of land containing 11 700 hectares, more or less, situate in the Parishes of Daahl, Mockinya, Tyar and Yat Nat, County of Lowan, being the land delineated and bordered red or bordered green or coloured yellow excepting therefrom the roads shown as excluded in a plan lodged in the Central Plan Office of the Department of Property and Services and numbered N.P. 77.”

* * * * *

—(Hon. J. E. Kirner)

Amendment proposed—That the following expression be inserted at the end of item (d):

“Notwithstanding the declaration of the land as a park timber and minor forest produce may be harvested and the *Forests Act* 1958 applies to that activity as if the land were reserved forest.”

—(Hon. D. M. Evans)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter (*Teller*)
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam
K. I. M. Wright

NOES, 30

The Hon. M. J. Arnold
M. A. Birrell
G. P. Connard
Joan Cocksedge
G. R. Crawford
J. L. Dixon
F. J. Granter (*Teller*)
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy

J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy (*Teller*)
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 Evan Walker
 H. R. Ward

And so it passed in the negative.

Wednesday, 15 April 1987

No. 2—PUBLIC HOLIDAYS (BICENTENNIAL CELEBRATIONS) BILL—Clause 2.

This Act comes into operation on the day on which it receives the Royal Assent.

—(*Hon. Evan Walker*)

Amendment proposed—That the expression “(1)” be inserted before “This”.

—(*Hon. H. R. Ward*)

[The Acting Chairman decided to test two further amendments (circulated by the Hon. H. R. Ward) on the question, That the expression “(1)” proposed to be inserted be so inserted, those further amendments being dependent upon the acceptance of that question. The further amendments tested by the Acting Chairman were as follows:

Clause 2, lines 7 and 8, omit “the day on which it receives the Royal Assent” and insert “a day to be proclaimed”.

Clause 2, after line 8, insert—

“(2) The Governor in Council shall not fix a day for this Act to come into operation unless the Governor in Council—

- (a) is satisfied that awards that have effect under a law of the Commonwealth have generally been or will generally be varied to similar effect as is provided for in section 3 in respect of awards under the law of Victoria;
- (b) publishes notice of that satisfaction in the *Government Gazette* not later than the day on which the proclamation of this Act is published in the *Government Gazette*.”]

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. K. I. M. Wright in the Chair.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson

NOES, 16

The Hon. M. J. Arnold
 Joan Coxside
 G. R. Crawford (*Teller*)
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 M. A. Lyster
 L. A. McArthur
 J. McLean

R. J. Long (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward

B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon
 Evan Walker

And so it was resolved in the affirmative.

Thursday, 16 April 1987

No. 3—SHOP TRADING BILL—Schedule.

Exempt Shops

- Booksellers' and newsagents' shops.
- Bread shops.
- Chemists' shops.
- Confectionery and pastry shops.
- Eating-houses and restaurants.
- Fish and oyster shops.
- Flower shops and retail plant nurseries.
- Fruit and vegetable shops.
- Petrol shops.
- Pet shops including shops for the sale of aviary and cage birds or aquarium fish.
- Photographers' shops.
- Saddlery shops.
- Shops for the sale of boats, caravans or other trailers or spare parts or accessories.
- Shops for the sale of foodstuffs and groceries (except meat, other than poultry, cooked meat or sausages).
- Shops for the sale of motor car spare parts or accessories.
- Shops for the sale of old goods, being furniture, plate, china, statuettes and other curiosities and odds and ends of an artistic or antiquarian interest.
- Shops for the sale of records, cassettes, tapes or video cassettes.
- Shops for the sale of swimming pools, swimming pool equipment or supplies for swimming pools.
- Shops for the sale of works of art or handicraft.
- Souvenir shops.
- Sporting goods shops located at sporting venues for the sale of goods appropriate for use at those venues.
- Stamp and coin shops.
- Undertakers' establishments.

—(*Hon. D. R. White*)

Amendment proposed—That the words “Hardware shops” be inserted after “Fruit and vegetable shops”.

—(*Hon. R. S. de Fegely*)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 15

The Hon. M. A. Birrell
B. A. Chamberlain
G. P. Connard (*Teller*)
R. S. de Fegely
J. V. C. Guest
R. I. Knowles
R. Lawson (*Teller*)
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward

NOES, 23

The Hon. M. J. Arnold
W. R. Baxter
Joan Coxsedge
J. L. Dixon
B. P. Dunn
D. M. Evans
R. M. Hallam
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou (*Teller*)
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier (*Teller*)
B. A. Murphy
B. T. Pullen
M. J. Sandon
Evan Walker
D. R. White
K. I. M. Wright

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 4

Thursday, 30 April 1987

No. 1—EDUCATION ACTS (AMENDMENT) BILL—Clause 6.

In section 35 of the Principal Act for “twenty or more” substitute “any number of”.

—(*Hon. Evan Walker*)

Question—That clause 6 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 22

The Hon. M. J. Arnold (*Teller*)
 W. R. Baxter
 Joan Coxsedge
 J. L. Dixon
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright

NOES, 14

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. J. Granter
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative.

No. 2—CONSERVATION, FORESTS AND LANDS BILL—Clause 55.

(1) Compliance with a Code of Practice is not required unless the Code of Practice is incorporated in or adopted by—

(a) a relevant law; or

(b) a regulation made under an Act administered by the Minister; or

(c) a condition specified in an authority given under a relevant law.

(2) A proposed regulation to which sub-section (1) (a) or (1) (b) applies and which incorporates or adopts a Code of Practice must not be submitted to the Governor in Council if each House of Parliament has passed a resolution in accordance with this section disallowing the incorporation or adoption of the Code.

(3) A proposed regulation to which sub-section (1) (a) or (1) (b) applies and which incorporates or adopts a Code of Practice must not be submitted to the Governor in Council—

- (a) unless the Minister has caused a copy of the Code to be laid before the Legislative Council and the Legislative Assembly; and
- (b) unless sub-section (2) does not apply; and
- (c) until the end of—
 - (i) the 14th sitting day of the Legislative Council after the day on which the Minister laid a copy of the Code before the Legislative Council; or
 - (ii) the 14th sitting day of the Legislative Assembly after the day on which the Minister laid a copy of the Code before the Legislative Assembly—

whichever last happens.

(4) A resolution by a House of the Parliament disallowing the incorporation or adoption of a Code of Practice must be passed by the House on or before the 14th sitting day of the House after the day on which the Minister laid a copy of the Code before the House.

(5) The power of either House of the Parliament to pass a resolution disallowing the incorporation or adoption of a Code of Practice is not affected by the prorogation or dissolution of the Parliament or of either House of the Parliament.

(6) In calculating sitting days of a House of the Parliament for the purposes of this section any prorogation or dissolution of the Parliament or either House of the Parliament must be disregarded.

—(Hon. J. E. Kirner)

Amendment proposed—That all the words and expressions from “law” in paragraph (c) in sub-clause (1) to “disregarded” in sub-clause (6) be omitted with the view of inserting in place thereof—

“law—

and unless the instrument approving the Code of Practice has been ratified by a resolution passed by the Legislative Assembly and the Legislative Council.

(2) A resolution ratifying an instrument of approval of a Code of Practice may amend the Code of Practice and, if it does so, the instrument approving the Code of Practice is deemed to relate to the Code as so amended.”.

—(Hon. D. M. Evans)

Question—That the words and expressions proposed to be omitted stand part of the clause—
put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 16

The Hon. M. J. Arnold
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 M. A. Lyster
 L. A. McArthur
 B. W. Mier
 B. A. Murphy (Teller)
 B. T. Pullen (Teller)
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 17

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (Teller)
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 R. I. Knowles
 R. Macey
 J. G. Miles
 Haddon Storey
 Rosemary Varty
 H. R. Ward (Teller)
 K. I. M. Wright

And so it passed in the negative.

Friday, 1 May 1987 (morning)

No. 3—HOUSE CONTRACTS GUARANTEE BILL—Clause 1.

The purposes of this Act are—

- (a) to reform the law relating to house builders' liability; and
- (b) to provide for guarantees to be given in relation to house improvement work; and
- (c) to specify requirements to be complied with in relation to domestic building work contracts.

—(Hon. J. E. Kirner)

Amendment proposed—That paragraphs (a), (b) and (c) be omitted with the view of inserting in place thereof—

- “(a) to amend the law relating to house builders' liability; and
- (b) to provide for guarantees to be given in relation to house renovations.”.

—(Hon. A. J. Hunt)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 22

The Hon. M. J. Arnold
W. R. Baxter
Joan Coxsedge
J. L. Dixon
B. P. Dunn
D. M. Evans
R. M. Hallam
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou (*Teller*)
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
D. R. White
K. I. M. Wright

NOES, 14

The Hon. M. A. Birrell
G. P. Connard (*Teller*)
R. S. de Fegely
J. V. C. Guest
A. J. Hunt
R. I. Knowles
R. Lawson (*Teller*)
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward

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

No. 4—HOUSE CONTRACTS GUARANTEE BILL—Clause 4.

This Act does not apply in relation to domestic building work performed or to be performed by—

- (a) the Director of Housing incorporated under the *Housing Act* 1983; or
- (b) a prescribed person; or
- (c) any person if the function of performing that work is vested in that person by or under any Act of the Parliament of Victoria or of the Parliament of the Commonwealth.

—(Hon. J. E. Kirner)

Question—That clause 4 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 22

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Coxsedg
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon
 D. R. White
 K. I. M. Wright

NOES, 14

The Hon. M. A. Birrell
 G. P. Connard
 R. S. de Fegely (*Teller*)
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative.

NO. 5—HOUSE CONTRACTS GUARANTEE BILL—Clause 18.

* * * * *

- (2) If a requirement of paragraph (a), (d), (e) or (f) of sub-section (1) is not complied with—
- (a) the builder is guilty of an offence and liable to a penalty of not more than 50 penalty units; and
 - (b) the contract is void from the beginning; and
 - (c) the builder is not entitled to recover in any court the cost of any work performed or material supplied purportedly under the contract.

* * * * *

—(*Hon. J. E. Kirner*)

Amendment proposed—That paragraphs (b) and (c) in sub-clause (2) be omitted with the view of inserting in place thereof—

“(b) The contract is voidable at the option of the building owner at any time before completion of the contract unless the Court is of the opinion that in the particular circumstances it would be inequitable for the contract to be avoided.”.

—(*Hon. A. J. Hunt*)

[The Chairman decided to test the proposed omission of paragraphs (b) and (c) in sub-clause (2) on the question, That paragraph (b) stand part of the clause, so as not to preclude an amendment (foreshadowed by the Hon. J. E. Kirner) to omit paragraph (c) being proposed subsequently.]

Question—That the paragraph proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 22

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Coxsedg (*Teller*)
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner

NOES, 14

The Hon. M. A. Birrell
 G. P. Connard
 R. S. de Fegely
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 Marie Tehan

W. A. Landeryou
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 D. R. White
 K. I. M. Wright

Rosemary Varty (*Teller*)
 H. R. Ward

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

No. 6—HOUSE CONTRACTS GUARANTEE BILL—Clause 22.

(1) Housing Guarantee Fund Limited is the approved guarantor for the purposes of this Act if—

(a) its articles of association provide that—

- (i) the number of directors of the company is 7; and
- (ii) one director is to be appointed by the Minister; and
- (iii) one director is to be appointed by the chief administrator; and
- (iv) the chairman of the meetings of directors is to be appointed by the Minister for a period that does not exceed 3 years; and
- (v) a director whom an industry association is entitled to appoint is to be the person chosen by the Minister from a panel of two names submitted to the Minister by the company; and

* * * * *

—(*Hon. J. E. Kirner*)

Amendment proposed—That paragraph (a) in sub-clause (1) be omitted.

—(*Hon. A. J. Hunt*)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

Committee divided— The Hon G. A. Sgro in the Chair.

AYES, 22

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Coxsedge
 J. L. Dixon
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 D. R. White
 K. I. M. Wright

NOES, 14

The Hon. M. A. Birrell (*Teller*)
 G. P. Connard
 R. S. de Fegely
 J. V. C. Guest (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward

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. 5

Wednesday, 2 September 1987

No. 1—POLICE (POWERS OF INVESTIGATION) BILL—Clause 3 (as amended).

(1) If a member of the police force has reasonable cause to suspect—

- (a) that a person has committed, is committing or is about to commit, an offence; or
- (b) that a person may be able to assist in the investigation of an offence or a suspected offence—

the member of the police force may require that person to state his or her full name and address.

(2) If a member of the police force has reasonable cause to suspect that a name or address as stated in response to a requirement under sub-section (1) is false, the member may require the person making the statement to produce evidence of the correctness of the name or address.

(3) A person must not—

- (a) refuse or fail, without reasonable excuse, to comply with a requirement under sub-section (1) or (2); or
- (b) in response to a requirement under sub-section (1) or (2)—
 - (i) state a name or address that is false; or
 - (ii) produce false evidence of his or her name or address.

Penalty: 10 penalty units or imprisonment for three months.

(4) A person who has been required to state his or her full name and address under sub-section (1) may require the member of the police force who made the requirement to state his or her surname, rank and station.

(5) A person must not refuse or fail to comply with a requirement under sub-section (4).

Penalty: 10 penalty units or imprisonment for three months.

—(*Hon. B. A. Chamberlain*)

Question—That clause 3, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest (*Teller*)
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles

NOES, 17

The Hon. M. J. Arnold
 Joan Coxsedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster

R. Lawson
R. Macey
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey
Marie Tehan
Rosemary Varty
K. I. M. Wright

J. McLean (*Teller*)
B. W. Mier
B. T. Pullen
M. J. Sandon
C. F. Van Buren
D. R. White

And so it was resolved in the affirmative.

No. 2—POLICE (POWERS OF INVESTIGATION) BILL—Clause 4 (as amended).

(1) If a person is reasonably suspected by a member of the police force of committing an offence or is in lawful custody on a charge of committing an offence, a member of the police force may, if he or she believes on reasonable grounds that it is necessary to do so for the purpose of identifying that person or identifying that person as the person who committed the offence—

- (a) take, or cause to be taken, photographs of that person and prints of the hands, fingers, feet or toes of that person and may use, or cause to be used, such reasonable force as is necessary for that purpose; and
- (b) cause impressions of the teeth of that person to be taken by a registered dentist; and
- (c) make or cause to be made a recording of the voice of that person; and
- (d) request that person to supply a sample of his or her handwriting.

(2) A person must not refuse or fail to comply with the reasonable directions of a person acting in accordance with sub-section (1).

Penalty: 10 penalty units or imprisonment for three months.

(3) If photographs, prints, impressions or recordings are taken in respect of a person under sub-section (1) or a person supplies a sample of his or her handwriting under sub-section (1) and the person is not charged with the offence within a reasonable period or the charge against the person is subsequently withdrawn or dismissed, then all the photographs, prints, impressions, recordings and samples of handwriting must be destroyed.

(4) If photographs, prints, impressions, recordings and samples of handwriting are not destroyed in accordance with sub-section (3), a member of the police force who has custody or possession of them is guilty of an offence.

Penalty: 10 penalty units or imprisonment for three months.

—(*Hon. B. A. Chamberlain*)

Question—That clause 4, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty (*Teller*)
K. I. M. Wright

NOES, 16

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford (*Teller*)
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
J. McLean
B. W. Mier
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren

And so it was resolved in the affirmative.

No. 3—POLICE (POWERS OF INVESTIGATION) BILL—Clause 5 (as amended).

(1) If a person is in lawful custody on a charge of committing an offence and there are reasonable grounds for believing that an examination of his or her person will afford evidence as to the commission of the offence, a legally qualified medical practitioner acting on the request of a member of the police force in charge of a police station, or of or above the rank of sergeant, and a person acting in good faith to assist that member and under the direction of that member may make such an examination of the person and take such samples as is reasonable in order to ascertain the facts which may afford such evidence and may use such force as is reasonably necessary for that purpose.

(2) If a member of the police force intends to request a medical practitioner to examine a person in custody—

- (a) the member, before communicating with the medical practitioner for the purpose of making the request, must inform such person of the intention and inquire from that person whether he or she desires to be examined also by another medical practitioner named by the person; or
- (b) if the person states that he or she does so desire and names a medical practitioner, the member must promptly take all reasonable steps to inform that practitioner by telephone message that such person desires the practitioner to attend and examine the person.

(3) A person examined in accordance with this section is liable for the cost of any medical examination conducted at his or her request under sub-section (2).

(4) Failure to comply with sub-section (2) does not affect the legality of the detention of any person in custody or of any medical examination conducted at the request of a member of the police force.

(5) If a medical examination is made or samples are taken under this section and the charge against the person is subsequently withdrawn or dismissed, the medical evidence and the samples must be destroyed.

(6) If medical evidence and samples are not destroyed in accordance with sub-section (5), a member of the police force who has custody or possession of them is guilty of an offence.

Penalty: 10 penalty units or imprisonment for three months.

—(Hon. B. A. Chamberlain)

Question—That clause 5, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard (*Teller*)
R. S. de Fegely
B. P. Dunn
D. M. Evans
J. V. C. Guest
R. M. Hallam
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty
K. I. M. Wright (*Teller*)

NOES, 16

The Hon. M. J. Arnold
Joan Cocksedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou
M. A. Lyster
J. McLean
B. W. Mier (*Teller*)
B. T. Pullen
M. J. Sandon
C. F. Van Buren

And so it was resolved in the affirmative.

No. 4—POLICE (POWERS OF INVESTIGATION) BILL—Clause 7 (as amended).

(1) In this section—

“Relevant warrant” means a warrant issued under section 45 of the Commonwealth provisions to a member of the police force.

“The Commonwealth provisions” means Part VI of the *Telecommunications (Interception) Act 1979* of the Commonwealth as amended and in force for the time being.

(2) A judge of the Supreme Court may perform the functions of an eligible judge of Victoria under the Commonwealth provisions.

(3) The Chief Commissioner of Police may approve members of the police force, or classes of members of the police force, as persons who may exercise the authority conferred by relevant warrants.

(4) The Minister may approve a class of equipment to be used in the exercise of the authority conferred by a relevant warrant, to intercept communications passing over a telecommunications service.

(5) The Chief Commissioner of Police must ensure that—

(a) each relevant warrant issued upon the application of a member of the police force, other than a warrant issued upon an application made by telephone; and

(b) each copy of a relevant warrant sent under section 50 of the Commonwealth provisions to the applicant for the warrant; and

(c) each form of warrant completed under section 51 by or on behalf of a member of the police force; and

(d) each instrument issued under section 52 of the Commonwealth provisions by the Chief Commissioner of Police—

are retained in the records of the police force.

(6) The Chief Commissioner of Police must ensure that proper records are kept relating to—

(a) interceptions pursuant to relevant warrants of communications passing over a telecommunications service;

(b) the use made of information obtained by such interceptions;

(c) the communication of such information to persons other than members of the police force; and

(d) the destruction of records and copies of the kinds referred to in sub-section (9)—
and must ensure that the records relating to those matters are retained in the records of the police force.

(7) The Chief Commissioner of Police must furnish to the Minister particulars of each relevant warrant and of each instrument issued under section 52 or 57 of the Commonwealth provisions revoking a relevant warrant as soon as practicable after the issue or revocation of the warrant.

(8) The Chief Commissioner of Police must cause a restricted record within the meaning of the Commonwealth provisions (whether made before or after the commencement of this section) that is in the possession or custody, or under the control, of the police force to be kept, except when it is otherwise dealt with in accordance with the Commonwealth provisions and this Act, in a secure place where it is not accessible to persons other than persons who are entitled so to deal with the record or copy.

(9) The Chief Commissioner of Police must cause a record or copy of a kind referred to in sub-section (8) to be destroyed if the Chief Commissioner of Police is satisfied—

(a) that the record or copy will not assist, and is not likely to assist, members of the police force in or in connexion with—

(i) the investigation of a prescribed offence; or

- (ii) a proceeding by way of prosecution for an offence against the law of the State that is a prescribed offence under the Commonwealth provisions; and
- (b) that the record or copy is not required, and is not likely to be required, in, or in connexion with, the exercise by the Chief Commissioner of Police of the powers conferred on the Chief Commissioner by section 7AA (12) or (14) of the Commonwealth provisions as the case requires.
- (10) A prescribed authority must make regular inspections of the records of the police force for the purpose of ascertaining the extent of compliance with—
- (a) the requirements referred to in sub-sections (5), (6), (7) and (8); and
- (b) the provisions of this Act requiring the Chief Commissioner of Police to cause a record or copy of a kind referred to in sub-section (8) to be destroyed forthwith if the Chief Commissioner is satisfied as mentioned in sub-section (9); and
- (c) the provisions of the Commonwealth provisions, insofar as those provisions relate to the Chief Commissioner of Police or members of the police force.
- (11) A prescribed authority that has conducted an inspection of the records of the police force for the purposes of ascertaining the extent of compliance with the requirements and provisions referred to in sub-section (10) must furnish to the Minister a report setting out the results of the inspection and the opinion of the prescribed authority concerning the extent of that compliance.

—(Hon. B. A. Chamberlain)

Question—That clause 7, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Marie Tehan (*Teller*)
 Rosemary Varty
 K. I. M. Wright

NOES, 16

The Hon. M. J. Arnold
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster (*Teller*)
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 6

Tuesday, 8 September 1987

No. 1—RESIDENTIAL TENANCIES (AMENDMENT) BILL—Clause 1.

The purposes of this Act are—

- (a) to provide that tenancy agreements cannot be terminated under the *Residential Tenancies Act 1980* without reason; and
- (b) to widen the definition of “urgent repairs” under that Act and to increase the maximum amount which a tenant can recover from a landlord in respect of urgent repairs; and
- (c) to increase the powers, and widen the jurisdiction, of the Residential Tenancies Tribunal; and
- (d) to make other reforms to residential tenancies law.

—(Hon. J. H. Kennan)

Amendment proposed—That paragraph (a) be omitted.

—(Hon. J. G. Miles)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
 Joan Coxsedge (*Teller*)
 G. R. Crawford
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 R. I. Knowles
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan (*Teller*)
 Rosemary Varty (*Teller*)
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

No. 2—RESIDENTIAL TENANCIES (AMENDMENT) BILL—Clause 2.

(1) Subject to sub-section (2), this Act comes into operation on a day or days to be proclaimed.

(2) A proclamation made under this Act must not fix a day for section 3 to come into operation that is before the day fixed for section 6 (k) to come into operation.

—(Hon. J. H. Kennan)

Question—That clause 2 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
J. McLean (*Teller*)
B. W. Mier
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
J. V. C. Guest
R. M. Hallam
R. I. Knowles
R. J. Long (*Teller*)
R. Macey
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

No. 3—RESIDENTIAL TENANCIES (AMENDMENT) BILL—Clause 3.

The *Residential Tenancies Act* 1980 is amended as follows:

- (a) Section 123 is repealed;
- (b) Section 124 is repealed;
- (c) In section 125 (2) (b), omit “except in the case of a notice under section 123,”;
- (d) In section 127—
 - (i) in sub-section (1), omit “otherwise than under section 123”;
 - (ii) in sub-section (2), for paragraphs (a) and (b) and the word “or” between those paragraphs, substitute “the tenant has given notice of intention to vacate”.

—(Hon. J. H. Kennan)

Question—That clause 3 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
Joan Coxsedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy (*Teller*)
J. E. Kirner
W. A. Landeryou
M. A. Lyster
J. McLean
B. W. Mier
B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard (*Teller*)
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
J. V. C. Guest
R. M. Hallam
R. I. Knowles
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty

H. R. Ward
K. I. M. Wright

And so it passed in the negative.

Wednesday, 9 September 1987

No. 4—RESIDENTIAL TENANCIES (AMENDMENT) BILL—Proposed new clause A (to follow clause 2):

A. In section 123 of the *Residential Tenancies Act* 1980, after sub-section (2), insert—

“(3) A notice given under sub-section (1) in respect of a tenancy agreement is of no effect if it was given by the landlord in response to the exercise, or proposed exercise, by the tenant of a right given to the tenant under this Act.

(4) A person is not entitled to make an application to the Tribunal challenging the validity of a notice given under sub-section (1) after the expiration of 28 days after the notice was given.”.

—(Hon. J. G. Miles)

Question—That new clause A be read a second time and added to the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter (*Teller*)
R. M. Hallam
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
H. R. Ward
K. I. M. Wright

NOES, 17

The Hon. M. J. Arnold
Joan Coxsedge (*Teller*)
J. L. Dixon
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
J. McLean
B. W. Mier
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
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. 7

Tuesday, 15 September 1987

No. 1—RACING (FURTHER AMENDMENT) BILL—Clause 6.

In section 13 (2) of the Principal Act omit “on any Sunday or”.

—(*Hon. J. E. Kirner*)

Question—That clause 6 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 34

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty (*Teller*)
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative.

No. 2—RACING (FURTHER AMENDMENT) BILL—Clause 11.

After section 18 of the Principal Act insert—

“18A. If the club authorised to hold a race-meeting satisfies the Minister that it is not possible for the club to hold a race-meeting on the day scheduled because of circumstances

beyond the control of the club the Minister may authorise the race-meeting to be held on another day except—

- (a) Christmas Day;
- (b) Good Friday;
- (c) or any Sunday except a Sunday approved by the Minister falling within 30 days after the day scheduled for the race-meeting.”

—(Hon. J. E. Kirner)

Question—That clause 11 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 35

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey (*Teller*)
 B. W. Mier
 J. G. Miles
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)
 K. I. M. Wright

And so it was resolved in the affirmative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 8

Tuesday, 6 October 1987

No. 1—LODDON-CAMPASPE REGIONAL PLANNING AUTHORITY BILL—Clause 6.

(1) The Authority consists of—

* * * * *

(f) two persons appointed by the Governor in Council on the nomination of the Minister after consideration of nominations submitted to the Minister by community groups, local organizations and persons within the region; and

(g) the person (if any) who becomes a member under section 8 (2).

—(Hon. J. H. Kennan)

Amendment proposed—That the word “and” at the end of paragraph (f), and paragraph (g), be omitted.

—(Hon. A. J. Hunt)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 23

The Hon. M. J. Arnold (*Teller*)
 W. R. Baxter
 G. R. Crawford
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright

NOES, 15

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 F. J. Granter
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Marie Tehan
 Rosemary Varty
 H. R. Ward

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

Wednesday, 7 October 1987

No. 2—SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL—Clause 3.

After section 30 of the *Superannuation Act* 1958, insert—

‘30A. (1) In this section “**Current equivalent of the salary on retirement**”, in relation to a contributor to whom a pension is payable under section 68, means such salary as the Board from time to time determines as, having regard to general increases in salary that have occurred since the date on which the contributor became entitled to a pension under section 68, being equivalent at any relevant time to the salary that was payable to the contributor immediately prior to that date.

(2) Despite anything to the contrary in this Act, if a contributor who retires or is retired on account of disability or who becomes entitled to a pension under section 68 is entitled under this Act to a pension of an amount which together with the amount of any weekly payment of compensation under the *Accident Compensation Act* 1985 to which the contributor is entitled exceeds the current equivalent of the salary on retirement of the contributor, the pension payable under this Act must be reduced by an amount equal to the amount of that excess.’

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the expression “95 per centum of” be inserted after “exceeds” in proposed section 30A (2) of the Principal Act.

—(Hon. D. R. White)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 22

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright

NOES, 15

The Hon. W. R. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 F. J. Granter
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative.

No. 3—SUPERANNUATION SCHEMES (ACCIDENT COMPENSATION) BILL—Clause 4.

The *Superannuation Act* 1958 is amended as follows:

* * * * *

(h) In section 20—

- (i) the first proviso to that section is repealed;
- (ii) in the second proviso to that section, omit “further”;

(iii) for "Consolidated Revenue" (wherever occurring) substitute "Consolidated Fund";

* * * * *

—(*Hon. D. R. White*)

Amendment proposed—That sub-paragraphs (i) and (ii) in paragraph (*h*) be omitted.

—(*Hon. Haddon Storey*)

Question—That the sub-paragraphs proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
Joan Cocksedge
G. R. Crawford
D. E. Henshaw
C. J. Hogg
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean (*Teller*)
B. W. Mier
B. A. Murphy
B. T. Pullen (*Teller*)
M. J. Sandon
C. F. Van Buren
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan (*Teller*)
Rosemary Varty (*Teller*)
H. R. Ward
K. I. M. Wright

And so it passed in the negative—Amendment agreed to.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 9

Wednesday, 28 October 1987

No. 1—LIQUOR CONTROL BILL—Clause 5.

The object of this Act is to respond to community interest by—

* * * * *

(b) facilitating the development of a diversity of licensed facilities reflecting consumer demand; and

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the word “reasonable” be inserted after “reflecting” in paragraph (b).

—(Hon. W. R. Baxter)

Question—That the word proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam
K. I. M. Wright (*Teller*)

NOES, 35

The Hon. M. J. Arnold
B. A. Chamberlain
G. P. Connard
Joan Coxsedg (*Teller*)
G. R. Crawford
R. S. de Fegely
J. L. Dixon
F. J. Granter
J. V. C. Guest
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner
R. I. Knowles
W. A. Landeryou
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean
R. Macey
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen
N. B. Reid
M. J. Sandon
Haddon Storey
Marie Tehan (*Teller*)
C. F. Van Buren
Rosemary Varty

Evan Walker
H. R. Ward
D. R. White

And so it passed in the negative.

No. 2—LIQUOR CONTROL BILL—Clause 50.

* * * * *

(3) If the business carried on on premises which form part of the licensed premises under an on-premises licence is primarily the business of a restaurant or other place where meals are prepared and served for consumption on the premises, the on-premises licence may, if the Commission so determines and specifies in the licence and on payment of \$800, also authorise the licensee to sell and dispose of liquor (otherwise than in association with the serving of meals) for consumption on a part of the licensed premises that—

- (a) comprises not more than 25 per centum of the total area of the licensed premises on which liquor is sold and disposed of; and
- (b) is set apart, in accordance with any conditions specified in the licence, for the supply of liquor otherwise than in association with the serving of meals.

* * * * *

—(Hon. D. R. White)

Amendment proposed—That sub-clause (3) be omitted.

—(Hon. W. R. Baxter)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 34

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxedge
G. R. Crawford
J. L. Dixon
F. J. Granter
J. V. C. Guest
D. E. Henshaw
C. J. Hogg
A. J. Hunt
C. J. Kennedy
J. E. Kirner
R. I. Knowles
W. A. Landeryou
R. Lawson
M. A. Lyster (Teller)
L. A. McArthur
J. McLean
R. Macey
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen
N. B. Reid
M. J. Sandon
Haddon Storey
Marie Tehan
C. F. Van Buren
Rosemary Varty (Teller)
Evan Walker
H. R. Ward
D. R. White

NOES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (Teller)
R. M. Hallam (Teller)
K. I. M. Wright

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

Thursday, 29 October 1987

No. 3—LIQUOR CONTROL BILL—Clause 76.

* * * * *

(2) In making the recommendation, the Chief Executive Officer—

(a) must have regard to any representations made under section 74 to the Chief Executive Officer—

(i) by the Council of the municipality in which the premises to which the application relates are, or are to be, situated; or

(ii) by any other person; and

(b) must have regard to the extent to which businesses carried on under licences and permits in the area to which the application relates are satisfying the need intended to be satisfied by the applicant; and

(c) must determine whether the grant of the application is likely to have an adverse effect on the interest of the community in that area—

but must not have regard to—

(d) whether the business of any other licensee or permittee may be adversely affected by the grant of the application; or

(e) whether the business proposed to be carried on under the licence or permit or extended hours permit would be successful.

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the expression “but must not have regard to—” and paragraphs (d) and (e) be omitted.

—(Hon. W. R. Baxter)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 33

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 J. V. C. Guest (Teller)
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen (Teller)
 N. B. Reid
 Haddon Storey

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (Teller)
 R. M. Hallam (Teller)
 K. I. M. Wright

Marie Tehan
C. F. Van Buren
Rosemary Varty
Evan Walker
H. R. Ward
D. R. White

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

No. 4—LIQUOR CONTROL BILL—Clause 105 (as amended).

(1) A person who is—

(a) the applicant for a licence or permit; or

(b) the licensee or permittee; or

(c) the Chief Commissioner of Police or a nominee of the Chief Commissioner—
may apply to the Administrative Appeals Tribunal for review of a determination of the Commission under this Part—

(d) to grant a licence or permit; or

(e) to refuse to grant a licence or permit; or

(f) to impose a term or condition on a licence or permit; or

(g) to vary a licence or permit; or

(h) to impose a condition on the transfer of a licence or permit.

(2) The Council of the municipality in which premises to which a licence, permit or application relates are, or are proposed to be, situated may apply to the Administrative Appeals Tribunal for review of a determination of the Commission under this Part—

(a) to grant a licence or permit; or

(b) to grant a licence or permit without conditions which sufficiently protect the amenity of the area in which the premises to which the licence or permit relates are, or are proposed to be, situated; or

(c) to grant a licence or permit if an objection has been made under section 66 or 75 or a recommendation has been made under section 76.

(3) An applicant under section 101 (1) (2) or (3) may apply to the Administrative Appeals Tribunal for review of a determination by the Commission not to cancel or suspend a licence, permit, or extended hours permit under section 101 (4) (5) or (6).

—(Hon. D. R. White)

Question—That clause 105, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 15

The Hon. M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
J. V. C. Guest
A. J. Hunt
R. I. Knowles
R. Lawson (Teller)
R. J. Long
R. Macey (Teller)
J. G. Miles
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward

NOES, 23

The Hon. M. J. Arnold
W. R. Baxter
Joan Coxsedge
G. R. Crawford
J. L. Dixon
B. P. Dunn
D. M. Evans
R. M. Hallam
D. E. Henshaw (Teller)
C. J. Hogg
C. J. Kennedy
J. E. Kirner
W. A. Landeryou (Teller)
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
C. F. Van Buren

Evan Walker
D. R. White
K. I. M. Wright

And so it passed in the negative.

No. 5—LIQUOR CONTROL BILL—Clause 127.

* * * * *

(6) Sub-section (4) does not apply to the service of liquor to a person under the age of 18 years by an employee if the employee has made reasonable enquiries to satisfy himself or herself that the person was not under the age of 18 years.

—(Hon. D. R. White)

Amendment proposed—That the expression “Sub-section (4) does” in sub-clause (6) be omitted with the view of inserting in place thereof “Sub-sections (1) and (4) do”.

—(Hon. W. R. Baxter)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
Joan Coxedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster (Teller)
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
C. F. Van Buren (Teller)
Evan Walker
D. R. White

NOES, 20

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. L. Long (Teller)
R. Macey
J. G. Miles (Teller)
N. B. Reid
Haddon Storey
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

Friday (morning), 30 October 1987

No. 6—LIQUOR CONTROL BILL—Clause 173.

(1) If, before the commencement of the *Licensing Act* 1928, a local opinion poll had been taken in an electoral district as constituted on 21 October 1920 and a resolution that no licence be granted in that district had been carried, a licence under this Act must not be granted in respect of any premises in that district during the period of two years after the commencement of this section unless the council of the municipality in which those premises are situated has resolved to revoke the resolution and has not resolved to impose some other restriction on the grant of licences under this Act.

* * * * *

—(Hon. D. R. White)

Amendments proposed—

19. That all the words after “in that district” (where second occurring) in sub-clause (1) be omitted with the view of inserting in place thereof “except in accordance with sub-section (2)”.

20. That the following sub-clause be inserted after sub-clause (1):

“() The following provisions have effect for the purposes of the grant of a licence or permit in respect of premises in a district referred to in sub-section (1):

- (a) Before a new licence is granted in or an existing licence is removed to any part of that district, the Commission shall in the case of a general licence, a residential licence, an on-premises licence or a club licence and may if it thinks proper in the case of any other licence or a permit order a vote of electors to be taken in the neighbourhood surrounding the proposed site of the premises in respect of which a licence or permit has been applied for or to which a licence or permit is sought to be removed (as the case may be);
- (b) The neighbourhood shall be delineated by the Commission after consultation with the Chief Electoral Officer;
- (c) The resolution to be submitted at the vote of electors shall be—
That a licence or permit (*nature of licence or permit to be stated*) be granted in [or removed to] the neighbourhood (*neighbourhood to be sufficiently indicated*);
- (d) If a majority of the electors voting formally vote against the resolution, the Commission shall not grant the application for the licence or for the removal of the licence (as the case may be) nor shall it grant any application for a licence in or the removal of a licence to that neighbourhood within three years after the taking of such vote;
- (e) When the Commission orders a vote to be taken under this section, the Chief Electoral Officer shall take a vote of electors accordingly and for that purpose—
 - (i) he or she may make all proper arrangements for the taking of the vote;
 - (ii) every elector within the neighbourhood delineated who is entitled to be enrolled on an electoral roll for the Legislative Assembly on the sixtieth day before the taking of the vote shall be qualified to vote but may vote once only;
 - (iii) the manner of voting shall be similar to that followed in the election of members to serve in the Legislative Assembly but the voting paper shall be marked as prescribed thereon;
 - (iv) subject to and for the purposes of this section the provisions of any law relating to rolls, electors and elections for the Legislative Assembly (including the provisions relating to compulsory voting and voting by post and the provisions relating to offences in connection with such elections but not including the provisions relating to absent voting) shall with such adaptations as are necessary as so far as the provisions can be made applicable by the regulations, apply to the taking of a vote under this section:
Provided that every application for a postal ballot-paper in relation to the vote of electors shall, where the postal ballot-paper is to be forwarded to the applicant, require that it be posted addressed to him or her at his or her place of living at the time when it would be delivered in the ordinary course of post (which place shall be specified in the application), and every postal ballot-paper posted to an applicant shall be addressed accordingly;
 - (v) the result of the voting shall be notified by the Chief Electoral Officer in the *Government Gazette*;
 - (vi) the Governor in Council may make regulations prescribing the form of voting paper and all matters and things authorised to be prescribed or necessary or convenient to be prescribed for the carrying out and giving effect to the provisions of this section.”.

—(Hon. A. J. Hunt)

Question—That amendments 19 and 20 be agreed to—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 Rosemary Varty (*Teller*)
 H. R. Ward
 K. I. M. Wright

NOES, 18

The Hon. M. J. Arnold
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur (*Teller*)
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

No. 7—LIQUOR CONTROL BILL—Postponed clause 53.

An extended hours permit authorises a licensee to sell and dispose of liquor on the licensed premises or on any authorised premises or on a specified part of the licensed premises or authorised premises at such times and subject to such terms and conditions, including conditions relating to entertainment, as the Commission determines and specifies in the permit.

—(*Hon. D. R. White*)

Amendment proposed—That all the words and expressions after “and subject to” be omitted with the view of inserting in place thereof—

“—

- (a) a condition that the licensee does not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the permit relates during or immediately after the hours to which the permit relates; and
- (b) such other terms and conditions, including conditions relating to entertainment, as the Commission determines and specifies in the permit.

(2) If a licensee or permittee contravenes any condition of an extended hours permit imposed by or under sub-section (1) in relation to the use of the premises, the contravention shall be deemed also to be a use of the premises that contravenes the relevant planning scheme and Division 1 of Part 6 of the *Planning and Environment Act 1987* applies accordingly.”

—(*Hon. A. J. Hunt*)

Amendment proposed to amendment of the Hon. A. J. Hunt—That sub-clause (2) of the proposed amendment be omitted.

—(*Hon. D. R. White*)

Question—That sub-clause (2) stand part of the proposed amendment—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn

NOES, 17

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg

J. V. C. Guest (*Teller*)
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

C. J. Kennedy
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy (*Teller*)
 B. T. Pullen
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

Friday, 30 October 1987

No. 8—TOBACCO BILL—Clause 20 (as amended).

The Foundation shall perform its functions and exercise its powers subject to any guidelines or directions on any matter or class of matters declared by the Governor in Council on the recommendation of the Minister after consultation with the Minister administering the *Sport and Recreation Act 1972* by notice published in the *Government Gazette* to be guidelines or directions for the purposes of this section.

—(*Hon. D. R. White*)

Question—That clause 20, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 15

The Hon. M. J. Arnold (*Teller*)
 Joan Coxedge
 G. R. Crawford
 J. L. Dixon
 C. J. Hogg
 J. H. Kennan
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. T. Pullen (*Teller*)
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 17

The Hon. W. R. Baxter
 M. A. Birrell
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 R. M. Hallam (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan

And so it passed in the negative.

Saturday (morning), 31 October 1987

No. 9—TOBACCO BILL—Proposed new clause AA (as amended) (*to follow clause 9*).

AA. (1) Sections 6 (1) (c), 6 (2) and 9 do not apply to a person who, under a contract or agreement relating to a sports or arts function or event or series of functions or events, with another person, in exchange for a sponsorship, gift, prize or like benefit, displays only in connection with such a function or event—

(a) the whole or part of a trademark, or brand name of a tobacco product; or

(b) the name of the manufacturer or distributor of a tobacco product—

if the display of the trademark, brand name or name is restricted to—

(c) signs or objects on or within the site of such a function or event; or

- (d) naming such a function, event or part of such a function or event, a scholarship, gift or prize; or
- (e) any booklet, leaflet or handbill distributed to the public; or
- (f) signs or objects on the outside of any road, sea or air vehicle used in any such function or event or on any participant in any such function or event.

(2) The Governor in Council, on the recommendation of the Minister, by Order published in the *Government Gazette*, may declare that section 6 (2) does not apply in respect of a specified tobacco advertisement or a specified class of tobacco advertisement placed or displayed before 1 July 1991 in accordance with an agreement entered into before 8 October 1987.

(3) In making a recommendation to the Governor in Council for the purposes of sub-section (2), the Minister must take into account—

- (a) the desirability of the application of the prohibitions in section 6 (2) in stages; and
- (b) the extent to which undue hardship will be suffered by compliance with section 6 (2) before 1 July 1991.

—(Hon. M. A. Birrell)

Question—That new clause AA, as amended, be read a second time and added to the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 17

The Hon. W. R. Baxter
M. A. Birrell
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long (Teller)
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan (Teller)

NOES, 16

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon (Teller)
D. E. Henshaw (Teller)
C. J. Hogg
J. H. Kennan
J. E. Kirner
W. A. Landeryou
M. A. Lyster
J. McLean
B. W. Mier
B. T. Pullen
C. F. Van Buren
Evan Walker
D. R. White

And so it was resolved in the affirmative.

No. 10—TOBACCO BILL—Proposed new clause A (to follow clause 20):

A. (1) the Foundation shall consist of—

- (a) three persons with expertise in health and illness prevention, one of whom shall be chosen by the Minister from a panel of three names submitted by the Anti-Cancer Council; and
- (b) three persons with expertise in sport or sports administration, one of whom shall be chosen by the Minister from a panel of three names submitted by the Sports Federation of Victoria Incorporated or, if that body ceases to exist, another body representing amateur sport in Victoria nominated by the Minister; and
- (c) two persons with expertise in business, management, communications or law; and
- (d) one person with expertise in the arts or arts administration; and
- (e) one person with expertise in advertising; and
- (f) three persons who are members of the Legislative Council or the Legislative Assembly elected by the Legislative Council and Legislative Assembly jointly.

(2) The Minister may appoint a Chairperson and a Deputy Chairperson from amongst the members referred to in sub-section (1) (other than paragraph (f)).

(3) The members (other than the members referred to in sub-section (1) (f))—

(a) shall be appointed by the Governor in Council; and

(b) are not, in respect of the office of member, subject to the *Public Service Act 1974*.

(4) The appointment of a member takes effect on the day on which notice of the appointment is published in the *Government Gazette*.

—(Hon. D. R. White)

Question—That new clause A be read a second time and added to the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 16

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
J. E. Kirner
W. A. Landeryou
M. A. Lyster
J. McLean
B. W. Mier
B. T. Pullen (*Teller*)
C. F. Van Buren
Evan Walker
D. R. White

NOES, 17

The Hon. W. R. Baxter
M. A. Birrell
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans
F. J. Granter
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long (*Teller*)
R. Macey
J. G. Miles (*Teller*)
N. B. Reid
Haddon Storey
Marie Tehan

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 10

Tuesday, 10 November 1987

No. 1—RACING (MISCELLANEOUS AMENDMENTS) BILL—Clause 4.

In section 116M (1) of the *Racing Act* 1958 for “or within” substitute “and that no more than 20 offices or agencies of the Board shall be established on licensed premises within”.

—(Hon. J. E. Kirner)

Question—That clause 4 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 23

The Hon. M. J. Arnold
 W. R. Baxter
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 K. I. M. Wright

NOES, 16

The Hon. B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. J. Granter
 J. V. C. Guest
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative.

No. 2—FIREARMS (AMENDMENT) BILL—Clause 9.

After section 22AA of the Principal Act, insert—

22AB

* * * * *

(2) The Registrar or an authorised officer of police may issue the permit applied for if satisfied that the applicant—

(a) has good reason to possess that firearm; and

(b) has a good knowledge of firearms laws and of the safety practices relating to the type of firearm which is proposed to be purchased.

* * * * *

—(Hon. J. E. Kirner)

Amendment proposed—That the word “may” in proposed section 22AB (2) of the Principal Act be omitted with the view of inserting in place thereof “must”.

—(Hon. N. B. Reid)

Question—That the word proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
Joan Coxsedg (*Teller*)
G. R. Crawford
J. L. Dixon
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren (*Teller*)
Evan Walker

NOES, 20

The Hon. W. R. Baxter
B. A. Chamberlain
G. P. Connard
R. S. de Fegely (*Teller*)
B. P. Dunn
D. M. Evans
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid
Haddon Storey
Marie Tehan
Rosemary Varty
H. R. Ward
K. I. M. Wright (*Teller*)

And so it passed in the negative.

No. 3—FIREARMS (AMENDMENT) BILL—Clause 9.

[For relevant text see Division No. 2]

Amendment proposed—That paragraph (a) in proposed section 22AB (2) of the Principal Act be omitted with the view of inserting in place thereof—

“(a) is a person engaged in primary production within the meaning of Part IIIA, is a member of a sporting or recreational shooting organisation approved by the Firearms Consultative Committee or has another good reason to possess that firearm; and”.

—(Hon. N. B. Reid)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
Joan Coxsedg
G. R. Crawford
J. L. Dixon (*Teller*)
D. E. Henshaw
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur (*Teller*)
J. McLean
B. W. Mier

NOES, 19

The Hon. W. R. Baxter
B. A. Chamberlain
R. S. de Fegely
B. P. Dunn
D. M. Evans
J. V. C. Guest (*Teller*)
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid

B. T. Pullen
M. J. Sandon
C. F. Van Buren
Evan Walker

Haddon Storey
Marie Tehan (*Teller*)
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative.

No. 4—FIREARMS (AMENDMENT) BILL—Clause 9 (as amended).

After section 22AA of the Principal Act insert—

“22AB. (1) A person who wishes to purchase a firearm, not being a pistol, must apply to the Registrar or an authorised officer of police for a permit to purchase that firearm.

(2) The Registrar or an authorised officer of police must issue the permit applied for if satisfied that the applicant—

(a) is a person engaged in primary production within the meaning of Part IIIA, is a member of a sporting or recreational shooting organisation approved by the Firearms Consultative Committee or has another good reason to possess that firearm; and

(b) has a good knowledge of firearms laws and of the safety practices relating to the type of firearm which is proposed to be purchased.

(3) A permit—

(a) must be in the prescribed form; and

(b) must be accompanied by a notice of disposal of the firearm and a notice of acquisition of the firearm; and

(c) remains in force for a period of 28 days.

(4) The fee to be paid for a permit to purchase a firearm is \$5 except if the permit is issued to the holder at or about the same time as a shooter's licence is issued to that person.”

—(*Hon. J. E. Kirner*)

Question—That clause 9, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 33

The Hon. M. J. Arnold
B. A. Chamberlain
G. P. Connard
Joan Coxsedge
G. R. Crawford
R. S de Fegely
J. L. Dixon
J. V. C. Guest
D. E. Henshaw (*Teller*)
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner
R. I. Knowles
W. A. Landeryou
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean
R. Macey
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen

NOES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam
K. I. M. Wright (*Teller*)

N. B. Reid
 M. J. Sandon (*Teller*)
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward

And so it was resolved in the affirmative.

Wednesday (morning), 11 November 1987

No. 5—FIREARMS (AMENDMENT) BILL—Clause 15.

After section 27 of the Principal Act insert:

* * * * *

“27C. (1) A person must not purchase ammunition unless that person is—

- (a) the holder of a licence, permit or other authority under this Act to possess a firearm; or
- (b) is exempted from having to obtain a licence, permit or other authority under this Act to possess a firearm.

Penalty: \$500 or one month’s imprisonment.

(2) A person must not sell ammunition to another person unless that person—

- (a) produces a licence, permit or other authority under this Act to possess a firearm, or
- (b) gives reasonable proof that he or she is exempted from having to obtain a licence, permit or other authority under this Act to possess a firearm.

Penalty: \$500 or one month’s imprisonment.”.

—(*Hon. J. E. Kirner*)

Amendment proposed—That proposed section 27C of the Principal Act be omitted.

—(*Hon. R. M. Hallam*)

[The Chairman decided to test the omission of proposed section 27C of the Principal Act on the question, That the expression “27C (1) A person must not purchase” stand part of the clause, so as not to preclude amendments (foreshadowed by the Hon. J. E. Kirner) being proposed subsequently. Those amendments were as follows:

Clause 15, page 7, line 29, after “purchase” insert “fixed”.

Clause 15, page 7, line 36, after “sell” insert “fixed”.]

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 17

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster

NOES, 20

The Hon. W. R. Baxter
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson

L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 M. J. Sandon
 C. F. Van Buren
 Evan Walker

R. J. Long
 R. Macey (*Teller*)
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

Wednesday, 11 November 1987

No. 6—FIREARMS (AMENDMENT) BILL—Clause 18.

In section 46 of the Principal Act, for sub-section (3) substitute—

“(3) A person must not possess a firearm which is not registered with the Registrar unless that person is exempted from the requirement to register that firearm.

Penalty: \$2000 or six months’ imprisonment.

(3A) The court must order that unregistered firearms possessed by a person convicted of an offence under sub-section (3) be forfeited to the Registrar who may sell or otherwise dispose of firearms so forfeited.”

—(*Hon. J. E. Kirner*)

Amendment proposed—That the expression “\$2000 or six months’ imprisonment” be omitted with the view of inserting in place thereof “\$500 or one month’s imprisonment”.

—(*Hon. R. M. Hallam*)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (*Teller*)
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long (*Teller*)
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

No. 7—ASSOCIATIONS INCORPORATION AND BUSINESS NAMES (AMENDMENT) BILL— Clause 9.

After section 50 of the Principal Act insert—

“50A. (1) If—

(a) by or under a provision of this Act, an act or thing is required or directed to be done within a particular period or before a particular time; and

- (b) failure to do the act or thing within that period or before that time constitutes an offence; and
- (c) the act or thing is not done within that period or before that time—

then—

- (d) the obligation to do the act or thing continues, despite the fact that that period has expired or that time has passed, and whether or not a person is convicted of an offence in relation to failure to do the act or thing, until the act or thing is done; and
- (e) sub-section (3) applies.

(2) If—

- (a) by or under a provision of this Act, an act or thing is required or directed to be done but neither a period within which, nor a time before which, the act or thing is to be done is specified; and
- (b) failure to do the act or thing constitutes an offence; and
- (c) a person is convicted of an offence in relation to the failure to do the act or thing—

then—

- (d) the obligation to do the act or thing continues, despite the conviction, until the act or thing is done; and
- (e) sub-section (3) applies.

(3) If—

- (a) at a particular time a person is convicted of an offence in relation to the failure to do the act or thing; and
- (b) the failure to do the act or thing continues after that time—

the person is, in relation to the failure, guilty of a further offence in respect of so much of the period throughout which the failure continues as elapses after that time.

(4) If a person is guilty by virtue of sub-section (3) of an offence in respect of a particular period, the penalty applicable to the offence is a fine of the amount obtained by multiplying one penalty unit by the number of days in the period.”

‘50B. (1) Where the Registrar has reasonable cause to believe that, whether before or after the commencement of section 9 of the *Associations Incorporation and Business Names (Amendment) Act 1987*, a person has committed a prescribed offence, the Registrar or a person authorised by the Registrar may, subject to sub-section (2), serve on the person a notice in the prescribed form—

- (a) alleging that the person has committed the prescribed offence and giving the prescribed particulars in relation to the prescribed offence; and
- (b) setting out the prescribed penalty in respect of the prescribed offence; and
- (c) stating—

- (i) in the case of a prescribed offence constituted by a failure to do a particular act or thing—

- (A) that the obligation to do the act or thing continues despite the service of the notice or the payment of the prescribed penalty; and
- (B) that if, within the period specified in the notice (being a period that is not less than 21 days), the person pays the prescribed penalty to the authority specified in the notice and does the act or thing, no further action will be taken against the person in relation to the prescribed offence; and
- (C) that if, at the expiration of the period specified in the notice, the person has not paid the prescribed penalty to the authority specified in the notice or has not done the act or thing, proceedings may be instituted, or procedures for the enforcement of infringement penalties under Part

VIIA of the *Magistrates (Summary Proceedings) Act 1975* may be used, against the person; or

(ii) in the case of a prescribed offence, not being an offence constituted by a failure to do a particular act or thing—

(A) that if, within the period specified in the notice (being a period that is not less than 21 days), the person pays the prescribed penalty to the authority specified in the notice, no further action will be taken against the person in relation to the prescribed offence; and

(B) that if, at the expiration of the period specified in the notice, the person has not paid the prescribed penalty to the authority specified in the notice, proceedings may be instituted, or procedures for the enforcement of infringement penalties under Part VIIA of the *Magistrates (Summary Proceedings) Act 1975* may be used, against the person.

(2) Sub-section (1) does not empower the Registrar or a person authorised by the Registrar—

(a) to serve on a person more than one notice under that sub-section in relation to an alleged commission by that person of a particular prescribed offence; or

(b) to serve on a person a notice under that sub-section in relation to a prescribed offence unless proceedings could be instituted against that person for that offence in accordance with section 50 (2).

(3) A notice under sub-section (1) may be served—

(a) in the case of a natural person—

(i) personally; or

(ii) by post addressed to the last known address of the person; or

(b) in the case of an incorporated association, in accordance with section 48.

(4) Where a notice under sub-section (1) is served on a person in relation to a prescribed offence constituted by a failure to do a particular act or thing—

(a) if, within the period specified in the notice, the person pays the prescribed penalty to the authority specified in the notice, and does the act or thing—no proceedings may be instituted against the person in respect of the prescribed offence; or

(b) if, at the expiration of the period specified in the notice, the person has paid the prescribed penalty to the authority specified in the notice but has not done the act or thing—no proceedings may be instituted against the person in respect of the prescribed offence, but the obligation to do that act or thing continues, and section 50A applies in relation to the continued failure to do that act or thing as if, on the day on which the person so paid the prescribed penalty, the person had been convicted of an offence constituted by a failure to do that act or thing; or

(c) if, at the expiration of the period specified in the notice, the person has not paid the prescribed penalty to the authority specified in the notice but has done the act or thing—proceedings may be instituted, or procedures for the enforcement of infringement penalties under Part VIIA of the *Magistrates (Summary Proceedings) Act 1975* may be used, against the person in respect of the prescribed offence; or

(d) if, at the expiration of the period specified in the notice, the person has not paid the prescribed penalty to the authority specified in the notice and has not done the act or thing—the obligation to do that act or thing continues, and proceedings may be instituted, or procedures for the enforcement of infringement penalties under Part VIIA of the *Magistrates (Summary Proceedings) Act 1975* may be used, against the person in respect of the prescribed offence.

(5) Where a notice under sub-section (1) is served on a person in relation to a prescribed offence, not being an offence constituted by a failure to do a particular act or thing—

- (a) if, within the period specified in the notice, the person pays the prescribed penalty to the authority specified in the notice—no proceedings may be instituted against the person in respect of the prescribed offence; or
- (b) if, at the expiration of the period specified in the notice, the person has not paid the prescribed penalty to the authority specified in the notice—proceedings may be instituted, or procedures for the enforcement of infringement penalties under Part VIIA of the *Magistrates (Summary Proceedings) Act 1975* may be used, against the person in respect of the prescribed offence.

(6) The payment of an amount by a person pursuant to a notice served on the person under this section in relation to a prescribed offence shall not be taken for any purpose to be an admission by that person of any liability in connection with the alleged commission of the prescribed offence.

(7) Except as provided by sub-sections (4) (a) and (b) and (5) (a), this section does not affect the operation of any provision of this or any other Act in relation to the institution of proceedings in respect of offences that are prescribed offences for the purposes of this section.

(8) In this section, “authority” includes a person.’.

—(Hon. J. H. Kennan)

Question—That clause 9 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 32

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson (Teller)
 M. A. Lyster
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon (Teller)
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (Teller)
 R. M. Hallam (Teller)
 K. I. M. Wright

And so it was resolved in the affirmative.

Thursday, 12 November 1987

No. 8—AGRICULTURAL ACTS (FURTHER AMENDMENT) BILL—Clause 28.

In section 26 (2) (h) of the *Prevention of Cruelty to Animals Act* 1986, after “a scientific procedure” insert “except in accordance with a Code of Practice”.

—(Hon. Evan Walker)

Question—That clause 28 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 23

The Hon. M. J. Arnold
 W. R. Baxter
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 D. E. Henshaw (*Teller*)
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 J. McLean
 B. W. Mier
 B. A. Murphy
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright

NOES, 15

The Hon. B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 J. V. C. Guest (*Teller*)
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward

And so it was resolved in the affirmative.

Friday, 13 November 1987

No. 9—MINES (MISCELLANEOUS AMENDMENTS) BILL—Clause 5.

(1) After section 9 of the Principal Act insert—

“9A. (1) Unless with the written consent of the Minister, a person who is—

(a) the owner of a claim; or

(b) either

(i) entitled to mark out land for the purposes of applying for the registration of a claim; or

(ii) an applicant for the registration of a claim—

is not entitled to enter for the purpose of marking out or mining Crown land—

(c) used as a garden, orchard or vineyard; or

(d) on which a spring, lake, artificial reservoir, dam, sheepwash or woolshed is located and is in *bona fide* occupation; or

(e) used as a site for a residence or factory; or

(f) used as a site for a windmill or bore; or

(g) within 100 metres of—

(i) Crown land of a kind mentioned in paragraphs (c) to (f); or

- (ii) private land used for the purposes of buildings or works mentioned in paragraphs (c) to (f).

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the words “or for a water supply for stock or for domestic purposes” be inserted after “bore” in paragraph (f) in proposed section 9A (1) of the Principal Act.

—(Hon. K. I. M. Wright)

Question—That the words proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam (*Teller*)
K. I. M. Wright

NOES, 32

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxsedg
G. R. Crawford
R. S. de Fegely
J. L. Dixon
F. J. Granter
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner
R. I. Knowles
W. A. Landeryou
R. Lawson (*Teller*)
M. A. Lyster
R. Macey
B. W. Mier (*Teller*)
J. G. Miles
B. A. Murphy
B. T. Pullen
N. B. Reid
Haddon Storey
Marie Tehan
C. F. Van Buren
Rosemary Varty
Evan Walker
H. R. Ward
D. R. White

And so it passed in the negative.

No. 10—MINES (MISCELLANEOUS AMENDMENTS) BILL—Clause 5.

[For relevant text see Division No. 9]

Amendment proposed—That the following paragraph be inserted after paragraph (f) in proposed section 9A (1) of the Principal Act:

“(g) on which there is a substantial building used for farming purposes; or”.

—(Hon. K. I. M. Wright)

Question—That the paragraph proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (*Teller*)
R. M. Hallam (*Teller*)
K. I. M. Wright

NOES, 31

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxsedg (*Teller*)
G. R. Crawford

R. S. de Fegely
J. L. Dixon
F. J. Granter
D. E. Henshaw
C. J. Hogg
A. J. Hunt
C. J. Kennedy
J. E. Kirner
R. I. Knowles
W. A. Landeryou
R. Lawson
M. A. Lyster
R. Macey
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen
N. B. Reid
Haddon Storey
Marie Tehan (*Teller*)
C. F. Van Buren
Rosemary Varty
Evan Walker
H. R. Ward
D. R. White

And so it passed in the negative.

LEGISLATIVE COUNCIL OF VICTORIA
WEEKLY REPORT OF DIVISIONS IN
COMMITTEE OF THE WHOLE COUNCIL

No. 11

Tuesday, 22 March 1988

No. 1—NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL—Clause 9.

The *Wildlife Act* 1975 is amended as follows:

- (a) In section 3 (1) at the end of the definition of "Wildlife" insert "but in Parts I to VI and Parts IX and XI does not include a whale within the meaning of section 75."; and
- (b) After section 6 (2) insert—
 - "(3) This section does not apply to whales within the meaning of section 75."; and
- (c) In section 71 (1) in paragraph (b) of the definition of "zoo—animal" omit ", whale, dolphin or porpoise"; and
- (d) In section 75 (1) in the definition of "Whale" omit "(Dolphin)"; and
- (e) In section 76—
 - (i) after sub-section (2) insert—
 - "(2A) Any person who has in his possession a live whale of any origin taken in circumstances or which came into his possession in any circumstances not provided for in sub-section (2) shall be guilty of an indictable offence.
 - Penalty: \$100 000.";
 - (ii) in sub-section (4) for "and (2)" substitute "(2) and (2A)";
 - (iii) in sub-section (4) (c) for "or the action in question was done" substitute—
 - "; or
 - (iii) carried out"; and
 - (iv) after sub-section (4) insert—
 - "(5) Any person who displays a live whale of any origin for any purpose or causes or permits a live whale of any origin to be displayed for any purpose shall be guilty of an indictable offence.
 - Penalty: \$100 000."; and
- (f) In section 78 (1)—
 - (i) omit paragraph (a);
 - (ii) for paragraph (d) substitute—
 - "(d) to have dead whales in the person's possession or treat or otherwise deal with dead whales in a specified manner and for specified scientific or educational purposes;
 - (e) to have live whales in the person's possession in the course of rescuing stranded whales or rehabilitating injured whales;

- (f) to have live whales temporarily in the person's possession in the whale's natural habitat for specified scientific or educational purposes.”; and
- (g) In section 83—
- (i) paragraph (a) is repealed;
- (ii) in paragraph (b) omit “other”; and
- (h) In section 85 (1) for “or (2)” substitute “(2), (2A) or (5)”.

—(Hon. J. E. Kirner)

Amendment proposed—That paragraph (e) be omitted with the view of inserting in place thereof—

‘(e) After section 76 insert—

“76A. (1) A person who keeps live whales must keep those whales in accordance with a Code of Practice approved by the Minister under the *Conservation, Forests and Lands Act 1987*.

Penalty: \$100 000.

(2) The Minister must direct the Director-General to prepare a Code of Practice under Part 5 of the *Conservation, Forests and Lands Act 1987* about the keeping of live whales.”’.

—(Hon. D. M. Evans)

Question—That the paragraph proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 36

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw (Teller)
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles (Teller)
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (Teller)
 R. M. Hallam
 K. I. M. Wright (Teller)

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

No. 2—NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL—Clause 9.

[For relevant text see Division No. 1]

Question—That clause 9 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 36

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles (*Teller*)
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon (*Teller*)
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative.

Wednesday, 23 March 1988No. 3—BUILDING CONTROL (GENERAL AMENDMENT) BILL—Proposed new clause A (*to follow clause 7*):

In section 17 of the Principal Act—

(a) for sub-sections (2) and (3) substitute—

“(2) A government department, public authority or council may apply for a direction under sub-section (3) or (3B).

(3) The Minister may direct a Co-ordinator or a relevant authority to refer to the Minister an application for building approval or the consent of the relevant authority by a government department, public authority or council if—

(a) not less than 21 days have elapsed since the application was lodged; and

(b) the Minister has consulted with the Co-ordinator or the relevant authority (as the case may be); and

(c) the Minister considers that the over-riding interests of the State require that the application be so referred.

(3A) The Co-ordinator and the relevant authority must comply with the direction and must not proceed further with the application.

(3B) Despite sub-section (3), if the Governor in Council considers that in the interests of security the plans or other documents relating to any proposed Crown building work should not be made public, the Governor in Council may direct that the application for building approval, or the consent of a relevant authority, with respect to the building work be lodged with the Governor in Council rather than with a Co-ordinator or relevant authority.

(3C) Any drawings or specifications lodged with the Governor in Council must be certified by a qualified building surveyor to the effect that they comply with the building regulations.

(3D) The Governor in Council or the Minister may grant any application referred to the Governor in Council or the Minister, with or without conditions.

(3E) A determination by the Governor in Council or the Minister is final and is not subject to review or appeal except in the Supreme Court on a question of law.

(3F) Subject to sub-section (3C), the granting of building approval or consent by the Governor in Council or the Minister has effect as if it were made by the Co-ordinator or the relevant authority (as the case may be)."

—(Hon. A. J. Hunt)

Question—That new clause A be read a second time and added to the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 22

The Hon. W. R. Baxter
 M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 20

The Hon. M. J. Arnold
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen (*Teller*)
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 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. 12

Thursday, 21 April 1988

No. 1—SUBDIVISION BILL—Clause 13.

This Part does not apply to—

- (a) a plan submitted by an acquiring authority under section 33 unless the plan proposes to create additional lots; or
- (b) a plan submitted by a Minister or government department.

—(*Hon. Evan Walker*)

Amendment proposed—That the expression “(a)” be omitted.

—(*Hon. A. J. Hunt*)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold
 Joan Cocksedge
 G. R. Crawford (*Teller*)
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey (*Teller*)
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative—Amendment agreed to.

No. 2—SUBDIVISION BILL—Clause 18.

(1) A Council may require the owner who proposes to create any additional lot by a plan to—

- (a) set aside for public open space in a location to the satisfaction of the Council 6 per cent (or, if another percentage is specified in the planning scheme, that percentage) of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes; or

- (b) pay to the Council 8 per cent (or, if another percentage is specified in the planning scheme, that percentage) of the site value of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes; or
- (c) do a combination of (a) and (b) so that the total contribution is in accordance with the formula specified in Schedule 1.

* * * * *

—(Hon. Evan Walker)

Amendment proposed—That the expression “6” in paragraph (a) in sub-clause (1) be omitted with the view of inserting in place thereof “5”.

—(Hon. A. J. Hunt)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 18

The Hon. M. J. Arnold (*Teller*)
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Haddon Storey
 Marie Tehan
 Rosemary Varty (*Teller*)
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

No. 3—HEALTH (GENERAL AMENDMENT) BILL—Clause 11.

In Division 3 of Part II of the Principal Act, before section 30 insert—

“29A. The function of every council under this Act is to seek to prevent diseases, prolong life and promote public health through organised programs including the prevention and control of—

- (a) environmental health dangers; and
- (b) diseases; and
- (c) health problems of particularly vulnerable population groups—

by—

- (d) isolating the special factors affecting the health of people within the municipal district; and
- (e) developing and enforcing up-to-date public health standards and intervening if the health of people within the municipal district is affected; and
- (f) monitoring the activities of and assisting other agencies whose work has an impact on public health and, if necessary, advocating on behalf of the people within the municipal district for adoption and enforcement by those agencies of appropriate standards; and
- (g) co-ordinating the immunisation of children living or being educated within the municipal district; and

(h) ensuring that the municipal district is maintained in a clean and sanitary condition.”

“29B. (1) Every council must, in consultation with the Chief General Manager, prepare at three year intervals a municipal public health plan.

(2) A municipal public health plan must—

(a) identify and assess actual and potential public health dangers affecting the municipal district; and

(b) outline programs and strategies which the council intends to pursue to—

(i) prevent or minimize those dangers; and

(ii) enable people living in the municipal district to achieve maximum well-being; and

(c) provide for periodic evaluation of programs and strategies.

(3) Every council must review its municipal public health plan annually and, if appropriate, amend the plan.”.

—(Hon. D. R. White)

Question—That clause 11 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 31

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxsedge (*Teller*)
G. R. Crawford
J. L. Dixon
D. E. Henshaw
C. J. Hogg
A. J. Hunt
C. J. Kennedy
J. E. Kirner
R. I. Knowles
W. A. Landeryou
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean (*Teller*)
R. Macey
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen
N. B. Reid
M. J. Sandon
Haddon Storey
Marie Tehan
C. F. Van Buren
Rosemary Varty
H. R. Ward
D. R. White

NOES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans
R. M. Hailam (*Teller*)
K. I. M. Wright (*Teller*)

And so it was resolved in the affirmative.

No. 4—FIREARMS (AMENDMENT) BILL (No. 2)—Clause 8.

* * * * *

(3) In section 22AA of the Principal Act, for sub-section (4) substitute—

“(4) A shooter’s licence must be in the prescribed form and authorises the holder—

(a) in the case of a licence issued to a person by reason that the person is engaged in primary production within the meaning of Part IIIA—

(i) to possess, carry and use a firearm, not being a pistol, only—

(A) on land on which the holder is engaged in primary production; and

- (B) on other land used for primary production, if the owner or occupier of that land consents; and
- (C) subject to any other law, on any other land for the purpose of destroying vermin (within the meaning of the *Vermin and Noxious Weeds Act 1958*) on that land—

in the course of his or her occupation as a person engaged in primary production; and

* * * * *

—(Hon. J. F. Kirner)

Amendment proposed—That the expression “purchase,” be inserted before “possess” in subparagraph (i) of paragraph (a) in proposed section 22AA (4) of the Principal Act.

—(Hon. R. M. Hallam)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright (*Teller*)

NOES, 32

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 Joan Coxsedg
 G. R. Crawford
 J. L. Dixon
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy (*Teller*)
 J. E. Kirner
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid (*Teller*)
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

And so it passed in the negative.

Friday, 22 April 1988

No. 5—FIREARMS (AMENDMENT) BILL (No. 2)—Clause 9.

In section 22AB (2) of the Principal Act—

- (a) for “must issue the permit applied for if” substitute “must not issue the permit applied for unless”; and

(b) for paragraph (a) substitute—

“(a) has a genuine need to purchase that firearm; and”.

—(Hon. J. E. Kirner)

Question—That clause 9 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 14

The Hon. M. J. Arnold (*Teller*)
G. R. Crawford
J. L. Dixon
D. E. Henshaw
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou (*Teller*)
M. A. Lyster
L. A. McArthur
J. McLean
B. T. Pullen
C. F. Van Buren
D. R. White

NOES, 16

The Hon. W. R. Baxter
B. A. Chamberlain
R. S. de Fegely
B. P. Dunn
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. J. Long
R. Macey
J. G. Miles (*Teller*)
N. B. Reid (*Teller*)
Haddon Storey
Marie Tehan
Rosemary Varty
K. I. M. Wright

And so it passed in the negative.

No. 6—FIREARMS (AMENDMENT) BILL (No. 2)—Clause 10.

(1) In section 22A (1) of the Principal Act, for paragraphs (a) and (b) substitute—

“(a) ordinarily resides at a place outside Victoria but within a State or Territory declared by Order of the Governor in Council published in the *Government Gazette* to be a declared State or Territory or has been residing in Victoria for less than three months having previously resided at a place in a declared State or Territory; and

(b) holds a licence, permit or other authority by which the person is authorised under the laws of a declared State or Territory in which the person resides or has resided to possess and carry a firearm (other than a pistol)—”.

(2) In section 22A of the Principal Act, for sub-section (3) substitute—

“(3) If the Registrar receives an application in writing from a person who ordinarily resides outside Victoria, the Registrar or an authorised officer of police may issue to that person a permit to possess, carry or use a firearm in Victoria, subject to such conditions or limitations as are specified in the permit.

(4) Despite anything to the contrary in this Act, the holder of a permit under sub-section (3) may, subject to the conditions or limitations of the permit, possess, carry or use a firearm of the type mentioned in the permit in Victoria.

(5) A fee is not payable for the issue of a permit under sub-section (3).”.

—(Hon. J. E. Kirner)

Question—That clause 10 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 23

The Hon. M. J. Arnold
B. A. Chamberlain
G. R. Crawford
R. S. de Fegely
J. L. Dixon
D. E. Henshaw
A. J. Hunt
C. J. Kennedy
J. E. Kirner

NOES, 4

The Hon. W. R. Baxter
B. P. Dunn
R. M. Hallam (*Teller*)
K. I. M. Wright (*Teller*)

R. I. Knowles
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 R. Macey
 B. T. Pullen
 N. B. Reid
 M. J. Sandon (*Teller*)
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 D. R. White

And so it was resolved in the affirmative.

No. 7—FIREARMS (AMENDMENT) BILL (No. 2)—Clause 15.

In Part IV of the Principal Act after the heading "*Prohibited Persons, Sales, &c.*" insert—

"28D. (1) A person who is not the holder of a gun dealer's licence must not sell a firearm (other than a pistol) or an imitation pistol to a person who is not the holder of a gun dealer's licence unless the sale is arranged through the holder of a gun dealer's licence or an auctioneer.

(2) A person who is not the holder of a gun dealer's licence must not purchase a firearm (other than a pistol) or an imitation pistol from a person who is not the holder of a gun dealer's licence unless the purchase is arranged through the holder of a gun dealer's licence or an auctioneer.

Penalty: 20 penalty units or imprisonment for six months."

"28E. (1) A person must not publish or cause to be published an advertisement indicating that a firearm or an imitation pistol is offered for sale by a person who is not an auctioneer or the holder of a gun dealer's licence.

Penalty: 20 penalty units or imprisonment for six months.

(2) It is a defence in proceedings against a person for an offence under sub-section (1) if the person proves—

(a) that, immediately before the publication, the person reasonably believed that the person by whom the firearm or imitation pistol was offered for sale was an auctioneer or the holder of a gun dealer's licence; or

(b) that, immediately before the publication, the person did not know that the advertisement indicated that a firearm or imitation pistol was offered for sale and, before the publication, had made reasonable enquiries as to whether or not the advertisement did so indicate.

(3) Sub-section (1) does not apply to the publication of an advertisement in a magazine published by an approved sporting shooting club."

—(*Hon. J. E. Kirner*)

Amendment proposed—That the expression "20 penalty units or imprisonment for six months" in proposed section 28D of the Principal Act be omitted with the view of inserting in place thereof "5 penalty units".

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 30

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 G. R. Crawford

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 K. I. M. Wright (*Teller*)

J. L. Dixon
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles (*Teller*)
 W. A. Landeryou
 M. A. Lyster (*Teller*)
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

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

No. 8—FIREARMS (AMENDMENT) BILL (No. 2)—Clause 15.

[For relevant text see Division No. 7]

Amendment proposed—That proposed section 28E of the Principal Act be omitted.

—(*Hon. R. M. Hallam*)

Question—That the words and expressions proposed to be omitted stand part of the clause—
 put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 31

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 G. R. Crawford
 J. L. Dixon (*Teller*)
 J. V. C. Guest
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 R. Lawson
 R. J. Long
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty (*Teller*)

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright (*Teller*)

Evan Walker
H. R. Ward
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. 13

Tuesday, 3 May 1988

No. 1—FIREARMS (AMENDMENT) BILL (No. 2)—Postponed clause 8 [*as amended to that stage*].

* * * * *

(5) In section 22AA of the Principal Act, for sub-section (6) substitute—

“(6) A shooter’s licence must be renewed for a period of three years or six years at the election of the applicant if the Registrar or an authorised officer of police is satisfied that the holder is—

(a) a person who is engaged in primary production within the meaning of Part IIIA;
or

(b) a person—

(i) whose occupation or business is of a kind that, in the opinion of the Registrar or authorised officer, requires the possession of a firearm, other than a pistol; and

(ii) who has a genuine need for a firearm, other than a pistol, in the course of that occupation or business.”

* * * * *

—(Hon. J. E. Kirner)

Amendment proposed—That sub-clause (5) be omitted.

—(Hon. B. A. Chamberlain)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
Joan Cocksedge
G. R. Crawford
J. L. Dixon
D. E. Henshaw (*Teller*)
C. J. Hogg
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
M. A. Lyster
L. A. McArthur (*Teller*)
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
M. J. Sandon
C. F. Van Buren

NOES, 22

The Hon. W. R. Baxter
M. A. Birrell
B. A. Chamberlain
G. P. Connard
R. S. de Fegely
B. P. Dunn
D. M. Evans (*Teller*)
F. J. Granter
J. V. C. Guest
R. M. Hallam
A. J. Hunt
R. I. Knowles
R. Lawson
R. J. Long
R. Macey
J. G. Miles
N. B. Reid (*Teller*)
Haddon Storey

Evan Walker
D. R. White

Marie Tehan
Rosemary Varty
H. R. Ward
K. I. M. Wright

And so it passed in the negative—Amendment agreed to.

No. 2—FIREARMS (AMENDMENT) BILL (No. 2)—Postponed clause 23 [*as amended to that stage*].

The Principal Act is amended as follows:

* * * * *

(k) At the end of section 22AA (1) insert—

“Penalty: 20 penalty units or imprisonment for six months.”;

* * * * *

(zk) In section 46 (3) for “\$1000 or imprisonment for a term of not more than three months” substitute “20 penalty units or imprisonment for six months”;

* * * * *

—(Hon. J. E. Kirner)

Amendment proposed—That the expression “20” in paragraph (k) be omitted with the view of inserting in place thereof “5”.

—(Hon. R. M. Hallam)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 31

NOES, 5

The Hon. M. J. Arnold
M. A. Birrell
B. A. Chamberlain
G. P. Connard
Joan Coxsedg
G. R. Crawford (Teller)
R. S. de Fegely
J. L. Dixon
F. J. Granter (Teller)
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner
W. A. Landeryou
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
B. A. Murphy
B. T. Pullen
N. B. Reid
M. J. Sandon
Haddon Storey
Marie Tehan
C. F. Van Buren
Rosemary Varty
Evan Walker
H. R. Ward

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (Teller)
R. M. Hallam
K. I. M. Wright (Teller)

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

No. 3—FIREARMS (AMENDMENT) BILL (No. 2)—Postponed clause 23 [*as amended to that stage*].

[For relevant text see Division No. 2]

Amendment proposed—That the expression “20 penalty units or imprisonment for six months” in paragraph (zk) be omitted with the view of inserting in place thereof “1 penalty unit”.

—(Hon. R. M. Hallam)

Question—That the amendment be agreed to—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 K. I. M. Wright (*Teller*)

NOES, 31

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedg
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren (*Teller*)
 Rosemary Varty
 Evan Walker
 H. R. Ward

And so it passed in the negative.

Wednesday, 4 May 1988 (morning)

No. 4—FIREARMS (AMENDMENT) BILL (No. 2)—Proposed new clause D (*to follow clause 8*).

The Principal Act is amended as follows:

(a) In section 22AA—

- (i) sub-sections (2B) to (2H) are repealed; and
- (ii) sub-sections (13) to (14B) are repealed;

(b) In section 46, sub-sections (3) to (5) are repealed;

(c) In section 49 (1), paragraph (c) is repealed;

(d) In section 50—

- (i) in sub-section (1), omit “of firearms”; and
- (ii) in sub-section (2), for “and for keeping a record of the firearms coming into the possession of persons holding licences and permits and other authorities under this Act and the issue of certificates of registration and other certificates” substitute “and for keeping a record of certificates issued”;

- (e) Section 51 is repealed;
- (f) In section 52 (a)—
- (i) omit “or that any firearm was or was not registered under this Act, or that any firearm was or was not registered under this Act in respect of a particular person”; and
 - (ii) for “permit, authority or registration” substitute “permit or authority”; and
 - (iii) omit “or that any such firearm was or was not registered in the name of a particular person”.

—(Hon. R. M. Hallam)

Question—That new clause D be read a second time and added to the Bill—put.

Committee divided—The Hon. M. J. Arnold in the Chair.

AYES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 K. I. M. Wright (*Teller*)

NOES, 31

The Hon. M. A. Birrell (*Teller*)
 B. A. Chamberlain
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 J. G. Miles
 B. A. Murphy (*Teller*)
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Evan Walker
 H. R. Ward
 D. R. White

And so it passed in the negative.

Thursday, 5 May 1988 (morning)

No. 5—HEALTH SERVICES BILL—Clause 33.

* * * * *

(3) The board of a public hospital shall consist of—

(a) not less than 6 and not more than 12 natural persons—

- (i) in the case of the first board of a public hospital added to Schedule 1 after the commencement of this section, nominated by the Minister; and
- (ii) in any other case, nominated by the Minister after consideration of names submitted by the board; and

- (b) if the hospital is associated with a university and is prescribed as a clinical school of that university, a natural person nominated by the Minister from a panel of three names submitted to the board by the council of the university; and
- (c) a natural person of a prescribed class of persons employed or engaged by the hospital elected in accordance with the regulations by persons of that prescribed class.

* * * * *

—(Hon. D. R. White)

Amendment proposed—That the expression “; and” in paragraph (b) in sub-clause (3) be omitted.

—(Hon. M. A. Birrell)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxsedg (Teller)
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren (Teller)
 Evan Walker
 D. R. White

NOES, 22

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans (Teller)
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid (Teller)
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative—Amendment agreed to.

Thursday, 5 May 1988

No. 6—TELECOMMUNICATIONS (INTERCEPTION) (STATE PROVISIONS) BILL—Clause 3.

(1) In this Act—

* * * * *

“Permitted purpose” means—

* * * * *

(e) an inspection of the records of the Police Force made under section 11; or

* * * * *

—(Hon. Evan Walker)

Amendment proposed—That the expression “11” in paragraph (e) in the definition of “Permitted purpose” in sub-clause (1) be omitted with the view of inserting in place thereof “10”.

—(Hon. W. R. Baxter)

Question—That the amendment be agreed to—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 R. I. Knowles (*Teller*)
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

NOES, 18

The Hon. M. J. Arnold
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 B. T. Pullen
 M. J. Sandon (*Teller*)
 C. F. Van Buren
 Evan Walker
 D. R. White

And so it was resolved in the affirmative.

No. 7—MARINE BILL—Clause 7.

This Part applies only to vessels that are operated or intended for operation on State waters.

—(*Hon. J. H. Kennan*)

Amendment proposed—That the expression “(1)” be inserted before “This”.

—(*Hon. R. Lawson*)

Question—That the expression proposed to be inserted be so inserted—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 16

The Hon. M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 F. J. Granter
 J. V. C. Guest
 R. I. Knowles
 R. Lawson
 R. J. Long
 R. Macey
 J. G. Miles (*Teller*)
 N. B. Reid
 Haddon Storey
 Marie Tehan
 Rosemary Varty (*Teller*)
 H. R. Ward

NOES, 24

The Hon. W. R. Baxter
 Joan Coxsedg (*Teller*)
 G. R. Crawford
 J. L. Dixon
 B. P. Dunn
 D. M. Evans
 R. M. Hallam
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White
 K. I. M. Wright

And so it passed in the negative.

No. 8—MEDICAL TREATMENT BILL (No. 2)—Clause 9 (as amended).

- (1) An agent or guardian may only refuse medical treatment on behalf of a person if—
 (a) the medical treatment would cause unreasonable distress to the person; or

- (b) there are reasonable grounds for believing that the person, if competent, would consider that the medical treatment was unwarranted.
- (2) A person may provide for decisions about medical treatment to be made after he or she becomes incompetent by appointing another person as his or her agent.
- (3) The appointment may be by way of—
- (a) an enduring power of attorney (medical treatment); or
- (b) a provision in an enduring power of attorney given under the *Instruments Act* 1958 to the same effect as Schedule 2.
- (4) An appropriate order may be made under the *Guardianship and Administration Board Act* 1986 providing for decisions about medical treatment of a represented person to be made by the person's guardian.
- (5) If the appointment takes the form of an enduring power of attorney (medical treatment) under sub-section (3) (a)—
- (a) it must be in the form of Schedule 2 and witnessed by two persons other than the agent to be appointed; and
- (b) it takes effect if and only if the person giving the power becomes incompetent.
- (6) If a person gives a power of attorney in relation to medical treatment, the power revokes any earlier power given in relation to medical treatment.
- (7) The person who makes an appointment under sub-section (3) (a) or (b) may revoke it in the manner provided in section 116 of the *Instruments Act* 1958.
- (8) If a medical practitioner and another person are each satisfied that a person's agent or guardian has been informed about the nature of the person's current condition to an extent that would be reasonably sufficient to enable the person, if he or she were competent, to make a decision about whether or not to refuse medical treatment generally or of a particular kind for that condition and that the agent or guardian has appeared to understand that information, the agent or guardian may on behalf of that person—
- (a) refuse medical treatment generally; or
- (b) refuse medical treatment of a particular kind—
- for that condition.
- (9) Where a refusal is made by an agent or a guardian, a refusal of treatment certificate must be completed in the form of Schedule 3.
- (10) If an agent or guardian completes a refusal of treatment certificate and his or her appointment as agent or guardian is later revoked, that refusal or treatment certificate is also revoked.

—(Hon. D. R. White)

Question—That clause 9, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 20

The Hon. M. J. Arnold
 Joan Coxedge
 G. R. Crawford
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur (Teller)
 R. A. Mackenzie
 B. W. Mier
 B. A. Murphy

NOES, 21

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long (Teller)
 R. Macey

B. T. Pullen (*Teller*)
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

J. G. Miles
 N. B. Reid (*Teller*)
 Marie Tehan
 Rosemary Varty
 H. R. Ward
 K. I. M. Wright

And so it passed in the negative.

No. 9—MEDICAL TREATMENT BILL (No. 2)—Schedule 2.

ENDURING POWER OF ATTORNEY (MEDICAL TREATMENT)

THIS ENDURING POWER OF ATTORNEY, is made on the _____ day
 of _____ 19 _____, by A.B. of _____ under section 9 of the *Medical
 Treatment Act* 1988.

1. I APPOINT C.D. of _____ to be my agent.
2. I AUTHORISE my agent to make decisions about medical treatment on my behalf.

SIGNED SEALED AND DELIVERED by:

WITNESSED by:

(Signature of Witness)

(Signature of Witness)

(Name of Witness)

(Name of Witness)

(Address of Witness)

(Address of Witness)

—(*Hon. D. R. White*)

Question—That Schedule 2 stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold
 Joan Coxsedg
 J. L. Dixon (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. A. Mackenzie
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 19

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely (*Teller*)
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson
 R. J. Long
 J. G. Miles
 N. B. Reid
 Marie Tehan
 Rosemary Varty (*Teller*)
 H. R. Ward

The Tellers having declared the numbers for the “Ayes” and for the “Noes” to be respectively nineteen, or equal, the Chairman gave his voice with the “Ayes” and declared the question to have been resolved in the affirmative.

No. 10—MEDICAL TREATMENT BILL (No. 2)—Schedule 3 (as amended).

REFUSAL OF TREATMENT CERTIFICATE:
AGENT OR GUARDIAN OF INCOMPETENT PERSON

I [name] certify that I am empowered to act in relation to decisions about medical treatment of

[name of patient]

I have been *appointed* to act by—

- * an enduring power of attorney (medical treatment) issued under the *Medical Treatment Act 1988*.
- * a provision in an enduring power of attorney issued under the *Instruments Act 1958*.
- * an order of the Guardianship and Administration Board under the *Guardianship and Administration Board Act 1986*.

I certify that—

- (a) the patient has attained the age of 18 years;
- (b) I have been informed about the nature of the patient's current condition to an extent that would be reasonably sufficient to enable the patient, if he or she were competent, to make a decision about whether or not to refuse medical treatment generally or of a particular kind for that condition. I now believe that [name of patient] would request that no medical treatment, or no medical treatment of the particular kind mentioned below, be administered to him/her.

On behalf of.....(name of patient),
in relation to his/her current condition, I refuse—

- * medical treatment generally.
- or
- * medical treatment, being
(specify particular kind of medical treatment).

Dated:

Signed.....(Agent/Guardian for

(Name of patient))

Verification

We certify that we are satisfied that
(name of agent or guardian) has been informed about the nature of the patient's current condition to an extent that would be reasonably sufficient, if the patient were competent, to enable him/her to make a decision about whether or not to refuse medical treatment generally or of a particular kind (as the case requires) for that condition and that the agent/guardian appeared to understand that information.

Signed:(Medical Practitioner)

Signed:(Another person)

* Delete whichever is not applicable.

Note: "Medical treatment" means the carrying out of—

- (a) an operation; or
- (b) the administration of a drug or other like substance; or
- (c) any other medical procedure—

but does not include palliative care.

"Palliative care" includes—

- (a) the provision of reasonable medical procedures for the relief of pain, suffering and discomfort; or
- (b) the reasonable provision of food and water.

The refusal of palliative care is not covered by the *Medical Treatment Act 1988*.

—(Hon. D. R. White)

Question—That Schedule 3, as amended, stand part of the Bill—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 19

The Hon. M. J. Arnold (*Teller*)
 Joan Cocksedge
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. A. Mackenzie
 B. W. Mier
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon (*Teller*)
 C. F. Van Buren
 Evan Walker
 D. R. White

NOES, 20

The Hon. W. R. Baxter
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 R. S. de Fegely
 B. P. Dunn
 D. M. Evans
 F. J. Granter
 J. V. C. Guest
 R. M. Hallam
 A. J. Hunt
 R. I. Knowles
 R. Lawson (*Teller*)
 R. J. Long
 R. Macey
 J. G. Miles
 N. B. Reid (*Teller*)
 Marie Tehan
 Rosemary Varty
 H. R. Ward

And so it passed in the negative.

No. 11—FLORA AND FAUNA GUARANTEE BILL—Clause 10.

(1) Schedule 2 contains a list of taxa and communities of flora or fauna which are threatened.

(2) Schedule 3 contains a list of potentially threatening processes.

(3) The Governor in Council may upon the recommendation of the Minister and by Order published in the *Government Gazette* add an item to Schedule 2 or 3 or amend an item in or appeal an item from Schedule 2 or 3.

* * * * *

—(Hon. J. E. Kirner)

Amendment proposed—That sub-clause (1) be omitted with the view of inserting in place thereof—

"() Part 1 of Schedule 2 contains a list of taxa and communities of flora or fauna which are threatened and Part 2 of Schedule 2 contains a list of taxa and communities of flora and fauna which are critically endangered."

—(Hon. D. M. Evans)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. R. Lawson in the Chair.

AYES, 30

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 Joan Cocksedge
 R. S. de Fegely
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. Mclean
 R. Macey
 B. W. Mier
 B. A. Murphy
 B. T. Pullen (*Teller*)
 N. B. Reid
 M. J. Sandon
 Marie Tehan (*Teller*)
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam
 K. I. M. Wright

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

No. 12—FLORA AND FAUNA GUARANTEE BILL—Clause 10.

[For relevant text see Division No. 11]

Amendment proposed—That the words “and by Order published in the *Government Gazette*” in sub-clause (3) be omitted with the view of inserting in place thereof “make regulations which”.

—(*Hon. D. M. Evans*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. R. Lawson in the Chair.

AYES, 29

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard (*Teller*)
 Joan Cocksedge (*Teller*)
 R. S. de Fegely
 D. E. Henshaw
 C. J. Hogg
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 M. A. Lyster
 L. A. McArthur
 J. McLean
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)
 K. I. M. Wright

Marie Tehan
C. F. Van Buren
Rosemary Varty
Evan Walker
H. R. Ward
D. R. White

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

Friday, 6 May 1988

No. 13—CRIMES (CUSTODY AND INVESTIGATION) BILL—Clause 5.

After section 463B of the Principal Act insert—

* * * * *

“464C. (1) Before any questioning or investigation under section 464A (2) commences, an investigating official must inform the person in custody that he or she—

(a) may communicate with or attempt to communicate with a friend or relative to inform that person of his or her whereabouts; and

* * * * *

—(Hon. Evan Walker)

Amendment proposed—That the expression “(a)” in sub-section (1) of proposed section 464C of the Principal Act be omitted.

—(Hon. W. R. Baxter)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 31

The Hon. M. A. Birrell
G. P. Connard
Joan Coxsedge
G. R. Crawford
R. S. de Fegely
J. L. Dixon
F. J. Granter
D. E. Henshaw
C. J. Hogg
A. J. Hunt
J. H. Kennan
C. J. Kennedy
J. E. Kirner
R. I. Knowles
R. Lawson
M. A. Lyster
L. A. McArthur
J. McLean
B. W. Mier
J. G. Miles
B. A. Murphy
B. T. Pullen
N. B. Reid
M. J. Sandon (Teller)
Haddon Storey
Marie Tehan
C. F. Van Buren (Teller)
Rosemary Varty
Evan Walker
H. R. Ward
D. R. White

NOES, 5

The Hon. W. R. Baxter
B. P. Dunn
D. M. Evans (Teller)
R. M. Hallam (Teller)
K. I. M. Wright

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

No. 14—CRIMES (FINGERPRINTING) BILL—Clause 4.

In Division 1 of Part III of the Principal Act immediately before the heading to Subdivision (31) insert—

“464K. A member of the police force may take the fingerprints of a suspect if—

- (a) the suspect gives his or her informed consent; or
- (b) a Magistrates' Court makes an order under section 464M (3).”

* * * * *

‘464R. (1) In this section—

“Relevant offence” means—

- (a) the offence in respect of which the fingerprints were taken; or
- (b) any other offence arising out of the same circumstances; or
- (c) any other offence in respect of which the fingerprints have probative value.

(2) If a person has given fingerprints in accordance with sections 464K to 464O (as the case requires) either by consent or under an order of a court and—

- (a) at the end of the period of 6 months after the taking of the fingerprints the person has not been charged with a relevant offence; or
- (b) before the end of the period of 6 months after the taking of the fingerprints, the person has been charged with a relevant offence but subsequently is not convicted of the offence or any other relevant offence, whether on appeal or otherwise—

the Chief Commissioner of Police must, subject to sub-section (3), destroy or cause to be destroyed the fingerprints and any record, copy or photograph of them—’

* * * * *

—(Hon. Evan Walker)

Amendment proposed—That all the words and expressions after “fingerprints of a” in proposed section 464K of the Principal Act be omitted with the view of inserting in place thereof—

“person of or above the age of 17 years who—

- (a) has been charged with an indictable offence; or
- (b) has been summonsed to answer to an information for an indictable offence; or
- (c) is suspected of having committed an offence and—
 - (i) the person gives his or her informed consent; or
 - (ii) a Magistrates' Court makes an order under section 464M (3).”

—(Hon. W. R. Baxter)

Question—That the words and expressions proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 31

The Hon. M. J. Arnold
 M. A. Birrell
 G. P. Connard
 Joan Coxsedge
 G. R. Crawford
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw (Teller)
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (Teller)
 R. M. Hallam (Teller)
 K. I. M. Wright

R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen (*Teller*)
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

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

No. 15—CRIMES (FINGERPRINTING) BILL—Clause 4.

[For relevant text see Division No. 14]

Amendment proposed—That the expression “subject to sub-section (3)” in sub-section (2) of proposed section 464R of the Principal Act be omitted with the view of inserting in place thereof “on application of the person”.

—(*Hon. W. R. Baxter*)

Question—That the expression proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro on the Chair.

AYES, 32

The Hon. M. J. Arnold
 M. A. Birrell
 G. P. Connard
 Joan Coxedge (*Teller*)
 G. R. Crawford
 J. L. Dixon
 F. J. Granter
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 J. H. Kennan
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 R. Lawson
 M. A. Lyster
 L. A. McArthur
 J. McLean (*Teller*)
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen
 N. B. Reid
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. 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. 14

Tuesday, 2 August 1988

No. 1—LOCAL GOVERNMENT BILL—Clause 6.

* * * * *

(2) It is the intention of Parliament that the provisions of this Act be interpreted and every function, power, authority, discretion and duty conferred or imposed by or under this or any other Act on a Council be performed or exercised so as to give effect to the purposes and objectives of Councils.

—(Hon. C. J. Hogg)

Amendment proposed—That sub-clause 6 (2) be omitted.

—(Hon. K. I. M. Wright)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 24

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 G. R. Crawford (*Teller*)
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 M. A. Lyster
 R. Macey
 B. W. Mier (*Teller*)
 B. A. Murphy
 B. T. Pullen
 M. J. Sandon
 Haddon Storey
 Marie Tehan
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter
 B. P. Dunn
 D. M. Evans (*Teller*)
 R. M. Hallam (*Teller*)
 K. I. M. Wright

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

No. 2—LOCAL GOVERNMENT BILL—Clause 24.

* * * * *

(4) In the case of a Council which holds triennial elections, the municipal clerk must not later than 3 days before nomination day in any year in which a triennial election is to be

held and not later than a date to be specified by Order in Council in any other year certify in writing that the voters' roll has been prepared in accordance with this Act.

* * * * *

—(Hon. C. J. Hogg)

Amendment proposed—That the words “a Council which holds triennial elections” in sub-clause (4) be omitted with the view of inserting in place thereof “the City of Melbourne”.

—(Hon. K. I. M. Wright)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A Sgro in the Chair.

AYES, 23

The Hon. M. J. Arnold
 B. A. Chamberlain
 G. P. Connard
 G. R. Crawford
 D. E. Henshaw
 C. J. Hogg
 C. J. Kennedy
 J. E. Kirner
 W. A. Landeryou (*Teller*)
 M. A. Lyster
 L. A. McArthur
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen (*Teller*)
 N. B. Reid
 M. J. Sandon
 C. F. Van Buren
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 5

The Hon. W. R. Baxter (*Teller*)
 B. P. Dunn
 D. M. Evans
 R. M. Hallam (*Teller*)
 K. I. M. Wright

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

Wednesday, 3 August 1988

No. 3—LOCAL GOVERNMENT BILL—Clause 219.

(1) The Minister may recommend to the Governor in Council that all of the Councillors of a Council be suspended, if the Minister considers that the Council has failed—

- (a) to provide for the good government of its municipal district in relation to its functions; or
- (b) to perform a function which it is required to perform; or
- (c) to form or maintain a quorum; or
- (d) to comply with any law.

* * * * *

—(Hon. C. J. Hogg)

Amendment proposed—That sub-clause (1) be omitted with the view of inserting in place thereof—

“(1) If the Minister considers that a Council has failed to form or maintain a quorum, the Minister may recommend to the Governor in Council that all of the Councillors of the Council be suspended.

(2) If the Minister considers that a Council has failed—

(a) to provide for the good government of its municipal district in relation to its functions; or

(b) to perform a function which it is required to perform; or

(c) to comply with any law—

the Minister may appoint a person as a Commissioner to conduct an inquiry and report to the Minister under section 209 on whether the Councillors of the Council should be suspended.

(3) Sections 209 to 217 apply to an inquiry referred to in sub-section (2).

(4) The Minister must lay the report of the inquiry before each House of the Parliament within 14 sitting days of each House after he or she receives it.

(5) If a resolution of each House of the Parliament recommends that the Council which is the subject of the report be suspended, the Minister may recommend to the Governor in Council that all of the Councillors of the Council be suspended.”

—(Hon. K. I. M. Wright)

Question—That the sub-clause proposed to be omitted stand part of the clause—put.

Committee divided—The Hon. G. A. Sgro in the Chair.

AYES, 28

The Hon. M. J. Arnold
 M. A. Birrell
 B. A. Chamberlain
 G. P. Connard
 G. R. Crawford
 R. S. de Fegely
 J. L. Dixon
 D. E. Henshaw
 C. J. Hogg
 A. J. Hunt
 C. J. Kennedy
 J. E. Kirner
 R. I. Knowles
 W. A. Landeryou
 M. A. Lyster
 J. McLean (Tellers)
 R. Macey
 B. W. Mier
 J. G. Miles
 B. A. Murphy
 B. T. Pullen (Teller)
 N. B. Reid
 M. J. Sandon
 Marie Tehan
 Rosemary Varty
 Evan Walker
 H. R. Ward
 D. R. White

NOES, 3

The Hon. B. P. Dunn
 R. M. Hallam (Teller)
 K. I. M. Wright (Teller)

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

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

OF THE HOUSES OF PARLIAMENT OF THE STATE OF VICTORIA

TO ELECT THREE MEMBERS TO BE RECOMMENDED FOR
APPOINTMENT TO THE COUNCIL OF THE MONASH UNIVERSITY

14 OCTOBER 1987

*Held in accordance with the provisions of section 7 of the Monash University Act
1958 (No. 6184).*

MELBOURNE
JEAN GORDON, GOVERNMENT PRINTER
1987

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTING

held in the

LEGISLATIVE ASSEMBLY CHAMBER

WEDNESDAY, 14 OCTOBER 1987

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber, pursuant to resolutions of the two Houses—

1 **ELECTION OF PRESIDENT**—The Honourable R. C. Fordham, M.P., Deputy Premier, moved—That the Honourable R. A. Mackenzie, M.L.C., President of the Legislative Council, be appointed President of this Joint Sitting; which motion, being seconded by the Deputy Leader of the Opposition, Mr. A. J. Brown, M.P., was resolved in the affirmative.

The Honourable R. A. Mackenzie, M.L.C., having expressed his acknowledgement for the honour conferred upon him by the Joint Sitting, then took the Chair.

2 **RULES OF PROCEDURE**—The President announced that section 7 (a) (i) of the *Monash University 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 Honourable R. C. Fordham, M.P., submitted the following rules of procedure for the consideration of Honourable 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 Member or Members to be recommended for appointment, and any such proposal shall be duly seconded. When any Member is so proposed, the 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, 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 the 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 been chosen to be recommended for appointment to the Council of the Monash University.”
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments, who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr. A. J. Brown, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 COUNCIL OF THE MONASH UNIVERSITY—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Council of the Monash University.

The Honourable R. C. Fordham, M.P., proposed The Honourable James Vincent Chester Guest, M.L.C., Gerard Marshall Vaughan, M.P. and Thomas William Wallace, M.P., to be recommended for appointment to the Council of the Monash University, and stated that they were willing to be recommended, if chosen; which proposals were seconded by Mr. A. J. Brown, M.P.

The President asked if there were any further proposals and, there being no further proposals, thereupon declared that The Honourable James Vincent Chester Guest, M.L.C., Gerard Marshall Vaughan, M.P. and Thomas William Wallace, M.P. had been chosen to be recommended for appointment to the Council of the Monash University.

The President declared the Joint Sitting closed.

R. K. BOYES

Clerk of the Legislative Assembly

R. K. EVANS

Clerk of the Legislative Council

PARLIAMENT OF VICTORIA

MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTINGS

OF THE HOUSES OF PARLIAMENT OF THE STATE OF VICTORIA

TO

RECOMMEND A MEMBER FOR APPOINTMENT
TO THE COUNCIL OF THE LA TROBE UNIVERSITY
FOR THE REMAINDER OF A FOUR YEAR TERM EXPIRING ON
18 DECEMBER 1990

AND TO

ELECT THREE MEMBERS FOR APPOINTMENT TO THE
VICTORIAN HEALTH PROMOTION FOUNDATION FOR A TERM
NOT EXCEEDING FIVE YEARS

23 MARCH 1988

Held in accordance with the provisions of sections 7 and 15 of the La Trobe University Act 1964 (No. 7189) and section 21 of the Tobacco Act 1987 (No. 81 of 1987).

MELBOURNE
JEAN GORDON, GOVERNMENT PRINTER
1988

MINUTES OF THE PROCEEDINGS

of the

JOINT SITTINGS

held in the

LEGISLATIVE ASSEMBLY CHAMBER

WEDNESDAY, 23 MARCH 1988

The Members of the Legislative Council and the Members of the Legislative Assembly having assembled in the Legislative Assembly Chamber, pursuant to resolutions of the two Houses—

- 1 **ELECTION OF PRESIDENT**—The Honourable R. C. Fordham, M.P., Deputy Premier, moved—That the Honourable C. T. Edmunds, M.P., Speaker of the Legislative Assembly, be appointed President of these Joint Sittings; which motion, being seconded by the Leader of the Opposition, Mr. A. J. Brown, M.P., was resolved in the affirmative.

The Honourable C. T. Edmunds, M.P., having expressed his acknowledgement for the honour conferred upon him, then took the Chair.

- 2 **RULES OF PROCEDURE**—The President announced that section 7 (a) (i) of the *La Trobe University Act 1964* provided that a Joint Sitting shall be conducted in accordance with rules adopted for the purpose by Members at the sitting. Accordingly, the Honourable R. C. Fordham, M.P., submitted the following rules of procedure for the consideration of Honourable Members, and moved that they be adopted as the rules of procedure of these Joint Sittings:

1. On any debate arising the same shall be conducted according to Parliamentary usage.
2. A Member, addressing the President, shall propose a Member or Members to be recommended for appointment or nominated for election (as the case may be) and any such proposal/nomination shall be duly seconded. When any Member is so proposed or nominated, the proposer or nominator shall state that such Member is willing to be so recommended for appointment if chosen, or elected if nominated.
3. If no more than the required number of Members are proposed/nominated and seconded for the various vacancies, the President shall declare such Members as having been chosen to be recommended for appointment or elected, as the case may be.
4. If more than the required number of Members are proposed/nominated and seconded in respect of the vacancies, the Members to be recommended for appointment or nominated shall be chosen by ballot in the following manner.

5. In the ballot for the vacancies, the President shall announce the names of the Members proposed or nominated 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 names of the Members he/she wishes to recommend for appointment or election; and if any ballot paper contains more than the appropriate number of names, it shall be rejected. Having marked the 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 or elected. 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 or elected. 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 or elected.
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.....has been chosen to be recommended for appointment to the Council of the La Trobe University.”

or

“That.....have been elected to the Victorian Health Promotion Foundation.”

(as the case requires)
10. The President shall advise the responsible Minister of the Members chosen to be recommended for appointment or elected to the respective bodies.
11. The records of the proceedings and the ballot papers shall be retained by the Clerk of the Parliaments who shall be the custodian thereof and shall keep the ballot papers safely for one year and thereafter destroy them.

Mr. A. J. Brown, M.P., seconded the motion.

Question—put and resolved in the affirmative.

- 3 **COUNCIL OF THE LA TROBE UNIVERSITY**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be recommended for appointment to the Council of the La Trobe University.

The Honourable R. C. Fordham, M.P., proposed Dr. Ronald James Herbert Wells, M.P., to be recommended for appointment to the Council of the La Trobe University, and stated that he was willing to be recommended, if chosen; which proposal was seconded by Mr. A. J. Brown, M.P.

The President asked if there were any further proposals and, there being none, thereupon declared that Dr. Ronald James Herbert Wells, M.P., had been chosen to be recommended for appointment to the Council of the La Trobe University.

- 4 **VICTORIAN HEALTH PROMOTION FOUNDATION**—The President announced that he was now prepared to receive proposals from Honourable Members with regard to Members to be elected for appointment to the Victorian Health Promotion Foundation.

The Honourable R. C. Fordham, M.P., proposed the Honourable Michael John Arnold, M.L.C., Mr William Desmond McGrath, M.P. and the Honourable George Graeme Weideman, M.P., for appointment to the Victorian Health Promotion Foundation, and stated that they were willing to be elected, if nominated; which proposals were seconded by the Honourable A. J. Brown, M.P.

The President asked if there were any further proposals and, there being none, thereupon declared that the Honourable Michael John Arnold, M.L.C., Mr William Desmond McGrath, M.P. and the Honourable George Graeme Weideman, M.P., had been elected for appointment to the Victorian Health Promotion Foundation.

The President declared the Joint Sittings closed.

R. K. EVANS

Clerk of the Legislative Council

R. K. BOYES

Clerk of the Legislative Assembly



Select Committee of the Legislative Council upon Electoral
Reform and the Nunawading Re-election

Report upon

**The Constitution Act Amendment
(Electoral Reform) Bill**

and

**The Holding and Conduct of the Nunawading
Re-election on 17 August 1985**

June 1988

VICTORIA

SELECT COMMITTEE OF THE LEGISLATIVE
COUNCIL UPON ELECTORAL REFORM AND
THE NUNAWADING RE-ELECTION

REPORT UPON

THE CONSTITUTIONAL ACT AMENDMENT
(ELECTORAL REFORM) BILL

AND

THE HOLDING AND CONDUCT OF THE NUNAWADING
RE-ELECTION ON 17 AUGUST 1985

JUNE 1988

Ordered to be printed

REPORT

THE ELECTORAL REFORM AND NUNAWADING RE-ELECTION COMMITTEE has the honour to report as follows:

1. On 10 March 1988 the Legislative Council adopted the following Resolution:
 - (a) That a Select Committee of five members be appointed to enquire into and report upon all aspects of The Constitution Act Amendment (Electoral Reform) Bill and the circumstances surrounding the holding and conduct of the Nunawading re-election on 17 August 1985 and the subsequent enquiries and explanations in relation to matters arising therefrom.
 - (b) That the Committee shall consist of the Honourables A.J. Hunt, M.A. Birrell, B.P. Dunn and two other Members who shall be appointed by lodgement of the names with the President within 7 days by the Leader of the Government and in default of such lodgement then by lodgement of two names with the President by the Leader of the Opposition at any time thereafter.
 - (c) That the Committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.
 - (d) That the Committee shall elect a Deputy Chairman to act as Chairman at any time when the Chairman is not present at a meeting of the Committee.
 - (e) That three members of the Committee shall constitute a quorum.
 - (f) That a member of the Council, though not a member of the Committee, may attend and participate in its deliberations and question witnesses, unless the Committee orders otherwise, but shall not vote.
 - (g) That the Committee may sit at such times and at such places as seems most convenient for the proper and speedy despatch of business.
 - (h) That the Committee may send for persons, papers and records.
 - (i) That the Committee may sit in public or in private as thought appropriate from time to time.
 - (j) That the Committee may ask for explanations and receive evidence from:
 - (i) Ministers and Members of the Legislative Council;
 - (ii) With the leave of the Legislative Assembly, Ministers and Members of the Legislative Assembly; and
 - (iii) Public Servants and other relevant officers.
 - (k) That the Committee may authorise the publication of any evidence taken by it in public and any documents presented to it.
 - (l) That as soon as practicable after the completion of each day's proceedings, a transcript of the evidence taken in public by the Committee shall be published.

- (m) That reports of the Committee may be presented to the Council from time to time.
- (n) That the presentation of a report or an interim report of the Committee shall not be deemed to terminate the Committee's appointment, powers or functions.
- (o) That the foregoing provisions of this resolution, so far as they are inconsistent with the Standing Orders and practice of the Council, shall have effect notwithstanding anything contained in the Standing Orders.

Subsequently, in accordance with paragraph (b) of the Resolution, the Leader of the Government lodged with Mr President the names of the Honourables M.J. Arnold and B.W. Mier for appointment to the Committee. They were thereby appointed to the Committee.

2. The Committee held its first meeting on 23 March 1988 at which the Honourable A.J. Hunt was elected Chairman. At that meeting, and the one following on 31 March, the Committee decided on the following general principles for the conduct of the inquiry:

- (a) That both parts of the terms of reference, i.e. The Constitution Act Amendment (Electoral Reform) Bill and the conduct and holding of the Nunawading re-election on 17 August 1985, be dealt with concurrently;
- (b) That guidelines for witnesses appearing before the Committee be prepared which set out clearly their rights and obligations;
- (c) That all witnesses appearing before the Committee be required to take an Oath or make an affirmation;
- (d) That, in relation to legal representation for witnesses, the normal practice applying in previous Select Committees be followed and that witnesses may have legal advisers seated beside them and refer to them if they so desire;
- (e) That all meetings be held in private except when evidence is being taken, unless otherwise varied by the Committee; and
- (f) That other Members of the Legislative Council be able to participate only at public hearings and not at private meetings of the Committee.

3. On 26 March 1988 the Committee placed an advertisement in The Age and The Sun inviting persons who had information concerning the Terms of Reference and who wished to assist the Committee to forward either written submissions or an indication that they wished to give evidence. No responses were received to the advertisement.

4. The following persons gave evidence at the public hearings held during the inquiry:

Victoria Police -

Det. Sgt. D.G. van Maanenbergh, Fraud Squad
 Sen. Sgt. B.M. Doyle, Officer in Charge, Northcote Police
 Det. Sgt. S.R.M. O'Neill, Fraud Squad
 Acting Sen. Sgt. I.D. Hopley, Community Policing Squad
 Sen. Det. P.A. Rowley, Frankston C.I.B.

Mr. R.H. Russell, former Detective Chief Inspector, Victoria Police
 Mr. E.L. Richardson, former Chief Electoral Officer
 Mr. A.G. McLean, Deputy Victorian Government Solicitor
 Dr. E.W. Russell, Director-General of Property and Services
 Mr. I.M.J. Baker, Senior Policy Analyst, Department of Management and Budget.

THE CONSTITUTION ACT AMENDMENT (ELECTORAL REFORM) BILL

5. The Constitution Act Amendment (Electoral Reform) Bill passed the Legislative Assembly on 11 November 1987 and was read a first time in the Legislative Council the following day. Debate on the second reading was adjourned on 12 November.

6. The purposes of the Bill as set out in clause 1 are as follows:

- (a) to provide for the appointment of an independent Electoral Commissioner;
- (b) to prohibit the distribution of unapproved how-to-vote cards and of other printed electoral material outside polling places on polling day and to provide for the reservation by a registered political party of the initials for that party for its how-to-vote cards; and
- (c) to change the name of the Electoral Commission to the Electoral Boundaries Commission.

7. The Bill is designed to ensure the independence of the Electoral Commissioner by designating the State Electoral Office as an Administrative Unit under the Public Service Act 1974. The office would therefore cease to be an agency of the Department of Property and Services as is presently the case. Provision is also made for the Electoral Commissioner to hold office for a period not exceeding 10 years with provision for re-appointment and for the appointment of a Deputy Electoral Commissioner. The Bill establishes the grounds upon which the Electoral Commissioner and the Deputy Electoral Commissioner may be suspended from office and also sets out the functions, powers and duties of both officers.

8. A new system of registration of how-to-vote cards is proposed by the Bill which prescribes a penalty for the distribution of unauthorized how-to-vote cards on polling day. Applications for approval of how-to-vote cards are to be made within three working days of the close of nominations to the Electoral Commissioner who can approve, conditionally approve or refuse to approve the material submitted. Under the Bill, the Commissioner would be obliged to refuse approval of a how-to-vote card that is either likely to mislead or deceive an elector in relation to the casting of the vote of the elector, or which contains offensive or obscene material. The decision whether to approve the card will be guided by regulations, which will require the Commissioner to have regard to a range of criteria including colour, format and content. Where a group, organization, or individual is putting out a card, that group, organization or individual will have to be clearly identified on the card.

9. The Bill further provides for copies of cards which have been approved to be available for inspection at the State Electoral Office or at the office of a returning officer. Provision for an appeal to the Administrative Appeals Tribunal within 10 days after nomination day against a decision of the Electoral Commissioner to approve, provisionally approve or refuse to approve a how-to-vote card is also made in the Bill.

10. On the evidence before it the Committee supports the general objectives of the Bill. It believes the Bill should proceed through the Legislative Council but not without amendments, the substance of which are outlined in paragraphs 11 to 17 of this Report.

Electoral Commissioner

11. The Committee is satisfied that the independence of the Electoral Commissioner as proposed through the Bill can be achieved. However, measures should be taken to further reinforce that independence. Firstly, the Committee believes that the Electoral Commissioner should not be dependent upon any Government for reappointment upon the expiry of his term. It therefore recommends that the Bill be amended either to include a provision ensuring that the appointment determines upon retirement - the age for which could be fixed by the legislation or at least to provide for fixed long term appointment. The right of the Parliament to determine the appointment for just cause should, however, be retained.

12. Secondly, the Committee believes that, in order to ensure complete independence, the Electoral Commissioner must not have had any recent direct involvement with a political party. The Bill is silent on this point. The Committee therefore recommends that a provision barring the appointment of a person who is or has been a member of a registered political party within five years prior to the date of appointment be included in the Bill.
13. Thirdly, the Bill makes provision for the Governor in Council to make regulations for or with respect to the new system of approval of how-to-vote cards. This is a task more appropriate to the office of an independent Electoral Commissioner and the Committee accordingly recommends that the Bill be amended to provide for the Electoral Commissioner, rather than the Governor in Council, to prescribe such matters as are necessary for the conduct of elections in this State.

How-to-vote cards

14. In the light of recent controversy regarding how-to-vote cards the Committee is satisfied that there is a need for a system of registration and approval of those cards to be included in the electoral law of Victoria. However, there are considerable practical problems apparent with the system proposed in the Bill.
15. The Committee believes that the provisions relating to the approval of such cards are unduly cumbersome in that they will take undue time at a stage where time is precious to candidates at an election and that they require reference and possibly travel to the Electoral Commissioner in Melbourne which could be difficult for candidates in distant areas such as Mildura and East Gippsland.
16. A further problem is that the major operative provisions are correctly addressed to how-to-vote cards intended to be handed out on election day. The Bill does not apply to cards issued before then. However, because of the necessary ban against printing of unapproved how-to-vote cards, candidates will be unable to obtain printing of cards for distribution to electors making inquiries, to prospective absentee voters and for distribution to households until those cards are formally approved. This will seriously hamper candidates at a vital stage of their campaign.

17. The Committee therefore recommends that the Bill be amended to provide for a simpler, less cumbersome and less limiting approach. That approach could well be along the following lines:

- (a) A candidate or a representative of the candidate or interested group should lodge the prospective how-to-vote card with the appropriate district Returning Officer (rather than the Electoral Commissioner) at least seven clear days prior to the election;
- (b) The Returning Officer may forthwith or within one working day after lodgement grant or refuse provisional approval of the card;
- (c) The provisional approval may be acted upon by the candidate;
- (d) Forthwith upon receipt of the card, a copy is to be prominently displayed at the office of the Returning Officer;
- (e) Within three days after provisional approval or rejection an appeal may be lodged with the Returning Officer for determination by the Electoral Commissioner;
- (f) The Returning Officer shall forthwith transmit the appeal (by facsimile if necessary) to the Electoral Commissioner who shall determine the appeal within 48 hours after its receipt; and
- (g) A card rejected on appeal by the Electoral Commissioner must not be used on election day.

THE NUNAWADING RE-ELECTION

18. Following a decision by the Court of Disputed Returns to declare void the election, on 2 March 1985, of a Member for Nunawading Province, a re-election for the Province was held on 17 August 1985. Nine candidates contested that election, one of whom represented the Nuclear Disarmament Party, and they all distributed how-to-vote cards. There was also a further card headed "Voters for Nuclear Disarmament Don't waste your vote" which was circulated at most booths on election day. This card was not the official card of the Nuclear Disarmament Party.

19. Shortly after polling day, the then Chief Electoral Officer, Mr Eric Richardson, received a complaint from Mr Martin Peake of the Nuclear Disarmament Party alleging that the alternative card was designed to mislead and deceive voters into allocating preferences in a certain manner whereas the policy of the Nuclear Disarmament Party was to allow voters to make their own decision regarding the allocation of their preferences.

The two cards are set out hereunder -

**NUCLEAR DISARMAMENT
PARTY CARD**



**NUCLEAR
DISARMAMENT
PARTY**

**'Stop the
Arms race
not the
Human race!'**



YOU MUST PLACE A NUMBER IN EVERY SQUARE

<input type="checkbox"/>	SMITH, Basil
<input type="checkbox"/>	WATSON, Al..... Call to Australia
<input type="checkbox"/>	FERWERDA, Peter(DLP) Democratic Labor Party
<input type="checkbox"/>	IVES, Bob Australian Labor Party
<input type="checkbox"/>	KAPPHAN, Bill
<input type="checkbox"/>	VARTY, Rosemary Liberal
<input type="checkbox"/>	NARDELLA, Michael..... Australian Democrats (Victorian Division)
<input type="checkbox"/>	LUMSDEN, Brian..... Independant
<input checked="" type="checkbox"/>	1 COTTERELL Jenny Nuclear Disarmament Party

**EVERY BOX MUST BE NUMBERED 1 TO 9
YOU DECIDE YOUR PREFERENCES**

Authorised by M. Peake for the N D P, 19 Erica St Windsor 3161
Printed by Hi Tone Offset Duplicating Service
43 Vanden Drive Ashwood 3147

ALTERNATIVE CARD



For your vote to be counted you must
PLACE A NUMBER IN EACH SQUARE.

- 4 **SMITH, Basil**
- 5 **WATSON, Al**
Call to Australia
- 6 **FERWERDA, Peter Andrew**
Democratic Labor Party (DLP)
- 3 **IVES, Bob**
Australian Labor Party
- 7 **KAPPHAN, Bill**
- 8 **VARTY, Rosemary**
Liberal
- 2 **NARDELLA, Michael**
Australian Democrats, (Victorian Division)
- 9 **LUMSDEN, Brian**
Independent
- 1 **COTTERELL, Jenny**
Nuclear Disarmament Party

Authorised : N. Nikolaidou, 5/55 Ross St. Tuorak.
Printed : A. Broughton Printing Pty. Ltd.
343 Little Collins St. Melbourne.

20. The complaint and its subsequent investigations aroused much controversy within the community and it is the only matter dealt with by the Committee in that part of its Terms of Reference relating to the conduct and holding of the Nunawading re-election.

21. In his evidence Mr Richardson told the Committee that, upon receiving the complaint, he felt that the card appeared as though it may have misled voters and late in August referred the matter to the Chief Commissioner of Police for investigation as to whether there had been a breach of the electoral laws. He so advised the permanent head of his department early in September. To assist in making a decision on the complaint, in September 1985 the Deputy Chief Electoral Officer also sought an opinion from the noted electoral law expert, Mr David Habersberger, on whether a card similar to the nuclear disarmament card could be in breach of the law.

The Police Inquiry

22. The complaint was passed from the office of the Chief Commissioner of Police to Nunawading C.I.B. on 10 September 1985 where it was initially investigated by a team of two headed by Det. Sgt. van Maanenbergh. Their initial investigations as to the origin of the card led them to interview certain persons within the Australian Labor Party who had been recognized as having handed out the card. However, Det. Sgt. van Maanenbergh told the Committee that "we received no clear answers from these people who advised us that under legal advice they could not answer any questions." (Transcript, page 15).

23. Three persons in particular were interviewed, Mr Peter Batchelor, the State Secretary of the Australian Labor Party, Mr Michael Salvaris, a senior adviser to the Premier and Mr Nick Nikolaidou. Mr Batchelor told the police that he had no knowledge of the card and that it was nothing to do with the A.L.P. Commenting on this interview Det. Sgt. van Maanenbergh told the Committee that "we left the meeting with Peter Batchelor still confused and still not knowing where this alternative card had originated from." (Transcript, page 15).

24. The Committee notes that earlier Mr Batchelor had told The Herald newspaper (19 August 1985) that "it had nothing to do with us" and that the card "may have been the work of students from Monash University."

25. Mr Salvaris told the police that he could not comment on A.L.P. matters and that he had legal advice that the cards were legal. Mr Nikolaidou is named on the card as having authorized it and on the day of the election issued a press statement calling on voters who

intended to vote for nuclear disarmament to allocate preferences favouring the other anti-nuclear candidate at the election. This statement clearly admitted his involvement in the alternative card but in his interview with police he refused to name any other persons who had been involved.

26. The police investigation was also told that the cards had been handed out at the office of Mrs Kay Setches, M.P. who on being approached by the police refused to have any contact with them. Further allegations were made that the cards had been handed out by Mr Dennis Setches, Mr Paul Slape, Mr Hank van Leeuwen and another unnamed person, all of whom relied on their right of silence and refused to assist the police inquiry.

27. On 29 September Det. Sgt. van Maanenbergh submitted his initial report on the investigation in which he concluded that a common denominator amongst the persons involved in the production, printing and distribution of the alternative card was that they were members or supporters of the A.L.P. The report concluded that the card appeared to be contrary to the electoral laws and made the following recommendations:

- (a) that the file be sent for further investigation by a team of people having the necessary resources to complete the inquiry; and
- (b) that the file be forwarded to police legal advisers for possible charges to be laid against Messrs. Nikolaidou, van Leeuwen, Slape and one other person.

28. Following the initial report, a police task force under the direction of Det. Chief Inspector R.H. Russell was established. It interviewed between 80 and 100 persons including members of Cabinet, Members of Parliament, Ministerial advisers and other persons connected with the A.L.P. and the N.D.P. including Messrs. Batchelor, Nikolaidou, Slape, Salvaris and van Leeuwen. Some assisted the police but others refused on legal grounds and the task force concluded that the level of co-operation had hampered and restricted the investigation.

29. On 9 October, Mr Batchelor released a statement to the media admitting his involvement in the distribution of the cards. The Committee accepts the evidence submitted that this statement was made at the direction of the Premier. In the statement Mr Batchelor denied that the A.L.P. was officially involved in the issuing of the card stating that -

"the A.L.P. was not officially involved in the issuing of the how-to-vote card authorized by Mr. N. Nikolaidou. Action taken by people who are members of the A.L.P. was taken in their own personal capacity."

Mr Batchelor admitted that a number of A.L.P. supporters (some members, others not) were involved in its distribution from Ringwood, one of the key districts in Nunawading Province. The statement strongly denied that the card was in any way "bogus" or "fake" and that the distribution of it was a fraudulent scheme. The card was claimed to be designed and intended to ensure an effective and formal vote on anti-nuclear issues. It was not (according to the statement) intended to mislead or deceive voters and did not claim to be the card of the Nuclear Disarmament Party.

30. In his statement Mr Batchelor indicated that he felt it was important to obtain legal advice on the design, wording and distribution of the card to ensure that it was completely in compliance with electoral law and that shortly before election day such advice was obtained from Mr Peter Redlich, the principal partner in the law firm Holding, Redlich & Co. Following receipt of this advice, Mr Batchelor decided that certain A.L.P. volunteers not required for A.L.P. activities should be given the option to help distribute the card on the day of the election.

31. Mr Russell told the Committee that "I did not fully accept the account by Batchelor in his press release because I knew he would not speak to the police. It appeared that he was more prepared to talk to the press than to the police." (Transcript, page 73). The Committee concurs with Mr Russell's view.

32. Mr Batchelor was the State Secretary of the A.L.P., and the person with ultimate administrative responsibility for its campaign. In that capacity he was approached with the suggestion for the card. He embraced the suggestion. He obtained advice upon the card from the A.L.P.'s solicitor. He planned and organized its distribution. The only distribution point according to the evidence was the office of a State Labor M.P. The persons who attended there were A.L.P. members and supporters who had responded to his normal and official invitation to assist the A.L.P. in the election. They did so in the belief that they would be handing out A.L.P. cards. Instead they were asked to hand out the "Voters for Nuclear Disarmament" card. They were briefed as to the reasons by Mr Batchelor, and

agreed to his request in the belief that they were assisting the A.L.P.'s campaign in the way thought best by the Party's State Secretary. They were provided by him with a statement to use if queried, and a telephone number. This course of events is in conflict with the explanation given by Mr Batchelor in his press statement. He has from then on declined the opportunity given to him by the Committee to give any further explanation.

33. Those persons interviewed by the police who admitted handing out the cards were Mr Ian Baker, Mr Ronald Carli and Mr William Cooper. Mr Michael Salvaris admitted that he knew about the card and said that he believed it was legal. Mr Hank van Leeuwen, Mr Paul Slape, Mr Nick Nikolaidou and Mrs Kay Setches relied on their right of silence and refused to assist the police.

34. The police investigation concluded that there was no evidence of any involvement by the Premier, the Honourable Caroline Hogg, the Honourable Steve Crabb or the printer of the cards. It was also unable to ascertain who had paid for the printing of the cards.

35. On 24 December 1985 Det. Insp. Russell made the following recommendations:

- (a) That Nick Nikolaidou, Peter Batchelor and Michael Salvaris be charged in that between 5 and 17 August 1985 they conspired with each other and persons unknown to defraud voters at an election and that they conspired with each other and persons unknown to commit an offence against the law of Victoria, to wit, print or authorize to be printed a matter or thing likely to mislead or deceive an elector;
- (b) That Nick Nikolaidou be also charged with authorizing to be printed a matter or thing likely to mislead or deceive an elector under section 267B(1) of The Constitution Act Amendment Act 1958;
- (c) That Peter Batchelor be also charged with distributing or causing to be distributed a matter or thing likely to mislead or deceive an elector; and
- (d) That Michael Salvaris, Ronald Carli, Stephano Dipieri, Paul Slape, Hank van Leeuwen, Ian Baker, Ian McDonald and William Cooper be charged with distributing a matter or thing likely to mislead or deceive an elector.

The recommendations were then forwarded to the Legal Assistant (Police) in the Crown Solicitor's Office.

36. In view of the police recommendations, the Committee summoned Mr Ian Baker to give evidence during the inquiry. It fully accepts his account that he was merely responding as an A.L.P. member to a formal invitation from Mr Batchelor to assist on the day of the election, that he had no prior knowledge of the alternative card and that he believed that the card was legal in view of the opinion of Mr Redlich.

37. Mr Baker's evidence, however, clearly reveals that Mr Batchelor's version of events was contrived and untrue. Under questioning during the Committee's hearings the following was revealed:

"MR. BIRRELL: You went along to Mrs. Setches' office and people were being addressed by Mr. Batchelor, who was standing on a table, and he was telling members what to do for the re-election. When you turned up and the request was made of you, did you regard that as a request from the State Secretary of the A.L.P. to help in that way?

MR. BAKER: Yes, I did.

MR. BIRRELL: You thought it was a formal request in his capacity as State Secretary?

MR. BAKER: Yes, I did.

MR. BIRRELL: You had some doubts about the card, as you have already expressed, and you looked at the legal opinion?

MR. BAKER: Yes, I did.

MR. BIRRELL: By what firm of solicitors was the legal opinion provided?

MR. BAKER: By Holding Redlich.

MR. BIRRELL: In what sense did you think they were providing an opinion? Had it been sought by Mr. Batchelor?

MR. BAKER: That was the impression. Whether it was Mr. Batchelor himself, I do not know, but I would think it would be the Labor Party that sought that opinion."

(Transcript, pages 224-5)

38. The Committee also issued invitations to the other persons named. Messrs. Batchelor, Dipieri, van Leeuwen and Cooper declined that invitation, Mr Salvaris' Secretary declined on his behalf, Mr McDonald's letter was returned to the Committee, Mr Slape was overseas at the time and there was no reply from Messrs. Nikolaidou and Carli.

39. In the absence of any evidence to the contrary the Committee accepts the police view that the card was likely to mislead the public due to its unfamiliarity with the Nuclear Disarmament Party card. The Committee believes the card should not have been issued and distributed. It has been called unethical by Mr Richardson and the Committee considers that an appropriate description.

The Opinion of the Director of Public Prosecutions

40. On 3 February 1986 the Chief Commissioner of Police provided to the Director of Public Prosecutions the report of the police investigation with a request to advise whether there had been a breach of the electoral laws contained in Division 20 of The Constitution Act Amendment Act 1958 and, further, whether there existed any form of conspiracy to mislead or deceive voters. That advice, delivered on 17 March 1986, concluded that there was no evidence of participation in the scheme by any Minister of the Crown, any Member of Parliament, the A.L.P. candidate Mr Bob Ives or his campaign committee. However, the D.P.P. was of the view that there was evidence of the involvement of Messrs Nikolaidou, Batchelor and Salvaris in activities which fell foul of section 267A(1) of the Act, and that, although they had received legal advice upon which they had relied, that reliance was not a defence for the purposes of the section.

41. In his advice the D.P.P. states that whilst the material (submitted by the police) suggests that more people, other than Messrs Nikolaidou, Batchelor and Salvaris, were involved, no admissible evidence existed as to the part played by such individuals but that admissible evidence of the distribution of the card did exist against eight other persons.

42. The D.P.P. contended that there was no evidence of conspiracy by any person in relation to the matter but that Messrs. Batchelor, Salvaris and Nikolaidou played principal roles in the exercise and to that extent their situation was distinguishable from the distributors. He concluded by advising that prima facie cases existed of the commission of summary offences against section 267B(1) of the Act by the eleven organizers and distributors of the alternative card.

43. The Committee accepts the Director of Public Prosecutions' advice on the matter. That advice, together with the full police report, was then forwarded to the Chief Electoral Officer in March 1986 for his decision as to whether or not charges should be laid.

The Action Taken by the Chief Electoral Officer

The various legal opinions

44. On 9 October 1985, the opinion of Mr David Habersberger based on a hypothetical situation, was delivered to the Chief Electoral Officer. It concluded that, if the elector following the alternative card thought he or she was following the N.D.P. card, the elector could be said to have been misled or deceived in relation to the casting of his or her vote. In a memorandum of the same date to the Chief Electoral Officer the Crown Solicitor indicated that he had read that opinion and had no reason to disagree with the views expressed therein.

45. On 20 January 1986, the Legal Assistant (Police) in the Crown Solicitor's Office provided his report to the Chief Commissioner of Police in which he concluded that there was evidence to substantiate charges against several persons. That advice was amongst the material conveyed from the police to the Chief Electoral Officer in March of that year.

46. Mr Richardson told the Committee that, prior to receiving the police report, he had discussed the opinion of Mr Habersberger with the permanent head of his department, Dr Bill Russell. Upon the receipt of the police report he had also sent Dr Russell a copy of the opinion of the Director of Public Prosecutions together with a copy of the letter from the Chief Commissioner, but not the report itself. The former Chief Electoral Officer told the Committee that he did so because, as a public servant, he felt he was obliged to keep his permanent head advised at all times in relation to matters affecting his administration. In his evidence Dr Russell said that he had also discussed that opinion with the Minister but that he did not believe that it was read by the Minister in his presence and that at no time did the Minister give him any directions on the matter.

47. Following receipt of the D.P.P.'s opinion Dr Russell telephoned Mr Richardson to suggest that, as both the opinions of Mr Habersberger and the D.P.P. were "borderline", inconclusive and containing an element of doubt, it might assist the Chief Electoral Officer in making his decision as to whether charges should be laid to seek an additional opinion from the Solicitor-General. Mr Richardson told the Committee that "I felt in my mind that the Director-General had been talking to the Minister and the suggestion arose out of those discussions." (Transcript, page 136). In his evidence Dr Russell said that it was at his

suggestion that the Solicitor-General had been engaged and that he had made a public statement on the matter. That statement, issued on 10 June 1987, indicated that there appeared to be an element of doubt in the legal opinions received and that it might be a good idea for the Chief Electoral Officer to get a further legal opinion.

48. On 2 April 1986 in a Joint Advice with Mr Gerard Nash, the Solicitor-General advised that no prima facie case against the provisions of section 267B of The Constitution Act Amendment Act 1958 had been established. Although they were both of the view that the alternative card was a document intended to and likely by reason of its format and wording to deceive the ordinary, reasonable voter into believing that the card was the official Nuclear Disarmament Party card, the Solicitor-General and Mr Nash concluded that the card would affect that voter only in relation to the formation of his judgment, not in relation to the casting of his vote.

49. After receiving the Solicitor-General's opinion Mr Richardson sought further advice from the Director of Public Prosecutions and Mr Habersberger. In his response dated 17 April 1986 the D.P.P. told Mr Richardson that he was unable to agree with the views of the Solicitor-General. Mr Habersberger also took a similar view in his advice dated 14 April 1986 in which he said that he was unable to accept that the great reliance of the Solicitor-General and Mr Nash upon the decision of the High Court in Evans vs Crichton - Browne (1981) 147 C.L.R. 169 justifies either their reasoning or their conclusion in this case.

50. Mr Habersberger and Mr Richardson discussed the matter in a telephone conversation on 6 May 1986 and the following day Mr Habersberger confirmed in writing the advice he had given. In his memorandum he suggested that perhaps a further factor could now however be added to the list of relevant matters - namely, the fact that there was now a substantial difference of opinion as to whether or not a breach of section 267B(1) had occurred. This meant that there had to be some doubt about the clarity of the legislation in question and just what conduct it outlawed. After weighing up all the competing considerations Mr Habersberger concluded that the better course was not to commence any prosecutions although he emphasized that the decision was one for the Chief Electoral Officer alone.

The decision not to prosecute

51. On 8 May 1986 Mr Richardson announced that no charges would be laid. In his evidence he told the Committee that he had taken into account all the legal opinions he had received. Because he considered that those of the D.P.P. and Mr Habersberger contained an element of doubt whereas the Solicitor-General on the other hand was firmly of the view that no offence had been committed, he felt that the Solicitor-General's advice carried greater weight than that of the D.P.P. Mr Richardson also went on to say that the final view of Mr Habersberger that it was better not to prosecute in view of the opinion of the Solicitor-General reinforced his own view.

52. In his evidence Mr Richardson said that the case, although borderline was the most serious in his career as an electoral officer because of its potential effect upon the control of the Legislative Council. He told the Committee of his difficulty in making the decision and of his awareness of the sensitivity of the decision. Nevertheless, he believed that he had been able to arrive at that decision in a purely independent capacity free from outside pressures.

53. The Committee is able to understand Mr Richardson's difficulty in making his decision. In his evidence he stated that -

"as a lay person, I felt what happened should not have taken place and that there should be laws to prevent those things happening. It might influence people in relation to voting".

(Transcript, page 155)

However, he had received a significant body of legal advice which, quite properly, was the only basis upon which he could arrive at his decision.

54. It is the weight of this legal advice to which the Committee now desires to refer. Ordinarily, a decision on whether or not to prosecute in a matter would be dependent upon the advice of the Director of Public Prosecutions. On previous occasions, prior to the existence of the D.P.P., the Crown Solicitor had provided the necessary advice in electoral matters. It is clear that Mr Richardson had earlier considered the D.P.P. as the final arbiter of such a matter because in a memorandum to his permanent head on 31 January 1986 he made it clear that decisions regarding prosecutions for any electoral offence would be made by the D.P.P. and the Chief Commissioner of Police. However, just a short time later he found it necessary to seek advice from the Solicitor-General.

55. The Solicitor-General's opinion differed significantly from the other opinions received and it was only after the suggestion from his permanent head that Mr Richardson felt it necessary to proceed in that direction. Mr Richardson was unable to say if he would have sought that advice had the suggestion not arisen from Dr Russell. However, it is a reasonable inference that he would not have sought the view of the Solicitor-General without Dr Russell's suggestion and that he followed up the suggestion because he considered himself to be subject to his permanent head's direction. The Committee has no doubt that the intervention of Dr Russell, after consultation with the Minister, was instrumental in obtaining the opinion of the Solicitor-General when normally the opinion of the D.P.P. would be regarded as final.

56. The Committee is further in no doubt that the opinion of the Solicitor-General was instrumental in Mr Richardson deciding that no prosecutions be launched. This was despite the fact that an analysis of the Solicitor-General's opinion by the D.P.P. and Mr Habersberger placed considerable doubt upon some of the arguments advanced by the Solicitor-General.

57. The whole chain of events regarding the Chief Electoral Officer's decision highlights very clearly the need for the independence of that office. Had provisions similar to those proposed by The Constitution Act Amendment (Electoral Reform) Bill been in force in 1986 Mr Richardson would almost certainly have been able to make his decision free from interference from any source.

Intervention of the Solicitor-General

58. On 7 May 1986, the day prior to Mr Richardson's decision, the Acting Crown Solicitor, Mr Alastair McLean, in the absence of the Crown Solicitor, received a telephone call from the Solicitor-General regarding the Nunawading re-election. The substance of the call is best outlined by the following file note made by Mr McLean:

"Solicitor-General phoned me re: The Nunawading By-Election:

1. He referred to the fact that the Chief Electoral Officer was obviously close to making a decision whether to proceed or not. He asked if he could be informed when a decision had been made, but before it was made public.

2. I said I would pass that on to the Chief Electoral Officer, but that I had no doubt that he could be so advised.
3. He then said that what he was probably ringing about was to let me know that the Government would prefer that no proceedings are commenced this week - he said his own view was that it was almost certain no proceedings would issue this week.
4. I told him in the strictest confidence that there was no chance of that happening."

59. The Committee endeavoured to ascertain from Mr McLean in what capacity he thought the Solicitor-General was acting. Mr McLean was unable to answer the question during his evidence but said that had the Solicitor-General told him he was ringing on behalf of the Premier he would have responded differently. He told the Committee that it was not unusual for the Solicitor-General to ring the Crown Solicitor on matters relating to cases in which he was involved nor was it unusual for the Government to request the Crown Solicitor not to commence proceedings for a certain time in a matter. In this case, however, he felt it "was not usual for someone other than his client to contact him about prosecutions not being proceeded with". (Transcript, page 196).

60. Mr McLean told the Committee that he was cautious and uneasy about the matter due to his unfamiliarity with it in the absence of the Crown Solicitor and that this was the reason why he kept such a detailed file note. He also told the Committee that he would be required to seek advice from the Chief Electoral Officer, as his client, before answering any questions from the Solicitor-General as to when proceedings would commence.

61. Mr Richardson told the Committee of the telephone call he received from Mr McLean on the Solicitor-General's inquiry. In response, he said he had taken the view that although the inquiry had been made, he would still make the decision when he wanted to and not be influenced by any outside persons as to when that decision would be made.

62. The Committee is concerned about the Solicitor-General's action because it raises the possibility of a conflict of interest. The Solicitor-General's role is to give independent legal advice to the Government. In this instance he had also given advice to a public servant on a matter which was of some possible embarrassment to the Government.

63. Mr Richardson was in no doubt that the Solicitor-General was not acting as his legal adviser when he telephoned Mr McLean. In his evidence he says "I think if he had been making an inquiry in relation to his position as legal adviser to me, he would have made an inquiry of me". (Transcript, p.162). This issue was also alluded to by Judge Rowlands in the Administrative Appeals Tribunal in his decision of 28 May 1987 in relation to a freedom of information request by Paul Chadwick. In relation to Mr McLean's file note His Honour concludes -

"I find that this document is a file note made by the Acting Crown Solicitor recording a conversation between himself and the Solicitor-General who had phoned him for the purpose of making a request. The conversation had nothing to do with the provision of legal advice or with existing or anticipated legislation. The Solicitor-General did not appear at that stage to be acting as a legal adviser to the Chief Electoral Officer and was concerned, on behalf of other interests, with an administrative matter".

In his evidence Mr Richardson told the Committee that he did not disagree with Judge Rowlands' opinion.

64. On the evidence available to it the Committee has every reason to believe that the Solicitor-General was acting on behalf of the Government when he telephoned the Acting Crown Solicitor.

Thanks

65. The Committee desires to thank the witnesses who appeared before it, and accepts that all of them sought to assist the Committee honestly and fully, to the best of their ability. The Committee also desires to record its appreciation of Hansard staff, who worked at times under difficult conditions. The Committee further desires to record special appreciation of the services of its secretary, Mr Wayne Tunnecliffe, to the Committee generally and particularly in preparation of the draft report.

Recommendation

66. The Committee recommends that it be discharged and that the evidence given before the Committee be printed.

Committee Room,

15 June 1988.

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:

WEDNESDAY, 15 JUNE 1988

Paragraph 22

The complaint was passed from the office of the Chief Commissioner of Police to Nunawading C.I.B. on 10 September 1985 where it was initially investigated by a team of two headed by Det. Sgt. van Maanenbergh. Their initial investigations as to the origin of the card led them to interview certain persons within the Australian Labor Party who had been recognized as having handed out the card. However, Det. Sgt. van Maanenbergh told the Committee that "we received no clear answers from these people who advised us that under legal advice they could not answer any questions." (Transcript, page 15).

The Hon. M. J. Arnold moved, as an amendment, That the expression 'However, Det. Sgt. van Maanenbergh told the Committee that "we received no clear answers from these people who advised us that under legal advice they could not answer any questions." (Transcript, page 15).' be omitted.

Question - That the expression proposed to be omitted stand part of the paragraph - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes - Amendment negatived.

Paragraph 23

Three persons in particular were interviewed, Mr Peter Batchelor, the State Secretary of the Australian Labor Party, Mr Michael Salvaris, a senior adviser to the Premier and Mr Nick Nikolaidou. Mr Batchelor told the police that he had no knowledge of the card and that it was nothing to do with the A.L.P. Commenting on this interview Det. Sgt. van Maanenbergh told the Committee that "we left the meeting with Peter Batchelor still confused and still not knowing where this alternative card had originated from." (Transcript, page 15).

The Hon. M. J. Arnold moved, as an amendment, That the expression 'Commenting on this interview Det. Sgt. van Maanenbergh told the Committee that "we left the meeting with Peter Batchelor still confused and still not knowing where this alternative card had originated from." (Transcript, page 15).' be omitted.

Question - That the expression proposed to be omitted stand part of the paragraph - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes - Amendment negatived.

Paragraph 28⁽¹⁾(as amended to that stage).

On 9 October, Mr Batchelor released a statement to the media admitting his involvement in the distribution of the cards. The Committee accepts the evidence submitted that this statement was made at the direction of the Premier. In the statement Mr Batchelor denied that the A.L.P. was officially involved in the issuing of the card but admitted that a number of A.L.P. supporters (some members, others not) were involved in its distribution from Ringwood, one of the key districts in Nunawading Province. The statement strongly denied that the card was in any way "bogus" or "fake" and that the distribution of it was a fraudulent scheme. The card was designed and intended to ensure an effective and formal vote on anti-nuclear issues. It was not (according to the statement) intended to mislead or deceive voters and did not claim to be the card of the Nuclear Disarmament Party.

The Hon. M. A. Birrell moved, as an amendment, That the word "but" be omitted with the view of inserting in place thereof -

'stating that -

"the A.L.P. was not officially involved in the issuing of the how-to-vote card authorized by Mr N. Nikolaidou. Action taken by people who are members of the A.L.P. was taken in their own personal capacity."

Mr Batchelor'.

Question - That the word proposed to be omitted stand part of the paragraph - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.J. Arnold
B.W. Mier

The Hon. M.A. Birrell
B.P. Dunn

There being an equality of votes the Chairman gave his casting vote with the Noes.

Question - That the expression proposed to be inserted be so inserted - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

(1) Paragraph 28 of the draft report appears as paragraph 29 in this Report.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Question - That paragraph 28, as amended, stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 30⁽²⁾

Mr Russell told the Committee that "I did not fully accept the account by Batchelor in his press release because I knew he would not speak to the police. It appeared that he was more prepared to talk to the press than to the police." (Transcript, page 73). The Committee concurs with Mr Russell's view.

Question - That paragraph 30 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 31⁽³⁾ (as amended to that stage)

Mr Batchelor was the State Secretary of the A.L.P., and the person with ultimate administrative responsibility for its campaign. In that capacity he was approached with the suggestion for the card. He embraced the suggestion. He obtained advice upon the card from the A.L.P.'s solicitor. He planned and organized its distribution. The only distribution point according to the evidence was the office of a State Labor M.P. The persons who attended there were A.L.P. members and supporters who had responded to his normal and official invitation to assist the A.L.P. in the election. They did so in the belief that they would be handing out A.L.P. cards. Instead they were asked to hand out the "Voters for Nuclear Disarmament" card. They were briefed as to the reasons by Mr Batchelor, and agreed to his request in the belief that they were assisting the A.L.P.'s campaign in the way thought best by the Party's State Secretary. They were provided by

(2) Paragraph 30 of the draft report appears as paragraph 31 in this Report.

(3) Paragraph 31 of the draft report appears as paragraph 32 in this Report.

him with a statement to use if queried, and a telephone number. This course of events is in conflict with the explanation given by Mr Batchelor in his press statement. He has from then on declined the opportunity given to him by the Committee to give any further explanation.

The Hon. M. J. Arnold moved, as an amendment, That the words "In that capacity" be omitted.

Question - That the words proposed to be omitted stand part of the paragraph - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes - Amendment negatived.

Question - That paragraph 31, as amended, stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes .

New paragraph B

The Hon. M. J. Arnold moved, That the following new paragraph be inserted after paragraph 31:

It should be stressed from the outset that the legal position governing the preparation and distribution of "How to Vote Cards" is vague and uncertain. Commonly, "How to Vote Cards" are prepared and distributed by an interest group urging voters to support a particular candidate who may have no affiliation with the interest group but whose election would best serve the objectives of the interest group.

To a considerable extent, the activities of the participants in the Nunawading affair were consistent with common practice. The only difference, and there is a question whether it is in any event a material difference, is that here the objectives being sought to be served were those of a political party rather than an interest group.

It seems clear on the evidence that participants in the distribution of the "How to Vote Cards" believed that no illegality was involved. This belief was supported by a legal opinion which Mr Batchelor had available. Whilst Mr Batchelor did not appear before the Select Committee to give evidence, all the available evidence indicates that Mr Batchelor would have held a similar understanding as to the legality of the activities. It is to Mr Batchelor's credit that he took the precaution of obtaining legal advice as to

the proposed printing and distribution of the "How to Vote Cards" before engaging in the activity. On the other hand, there should be no suggestion that the role played by Mr Batchelor was not ill-advised. Whilst no offence was committed, the activity was nevertheless imprudent and, on the evidence, unlikely to have gained any benefit for the Australian Labor Party in the re-election".

Question - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.J. Arnold
B.W. Mier

The Hon. M.A. Birrell
B.P. Dunn

There being an equality of votes the Chairman gave his casting vote with the Noes.

New paragraph C

The Hon. M. A. Birrell moved, That the following new paragraph be inserted after paragraph 35:

Mr Baker's evidence, however, clearly reveals that Mr Batchelor's version of events was contrived and untrue. Under questioning during the Committee's hearings the following was revealed:

"MR. BIRRELL: You went along to Mrs. Setches' office and people were being addressed by Mr. Batchelor, who was standing on a table, and he was telling members what to do for the re-election. When you turned up and the request was made of you, did you regard that as a request from the State Secretary of the A.L.P. to help in that way?

MR. BAKER: Yes, I did.

MR. BIRRELL: You thought it was a formal request in his capacity as State Secretary?

MR. BAKER: Yes, I did.

MR. BIRRELL: You had some doubts about the card, as you have already expressed, and you looked at the legal opinion?

MR. BAKER: Yes, I did.

MR. BIRRELL: By what firm of solicitors was the legal opinion provided?

MR. BAKER: By Holding Redlich.

MR. BIRRELL: In what sense did you think they were providing an opinion? Had it been sought by Mr. Batchelor?

MR. BAKER: That was the impression. Whether it was Mr. Batchelor himself, I do not know, but I would think it would be the Labor Party that sought that opinion."

(Transcript, pages 224-5)

Question - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 37⁽⁴⁾ (as amended to that stage)

In the absence of any evidence to the contrary the Committee accepts the police view that the card was likely to mislead the public due to its unfamiliarity with the Nuclear Disarmament Party card. The Committee believes the card should not have been issued and distributed. It has been called unethical by Mr Richardson and the Committee considers that an appropriate description.

The Hon. M. J. Arnold moved, as an amendment, That the words "It has been called unethical by Mr Richardson and the Committee considers that an appropriate description" be omitted.

Question - That the words proposed to be omitted stand part of the paragraph -put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes - Amendment negatived.

Question - That paragraph 37, as amended, stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 41⁽⁵⁾

The Committee accepts the Director of Public Prosecutions' advice on the matter. That advice, together with the full police report, was then forwarded to the Chief Electoral Officer in March 1986 for his decision as to whether or not charges should be laid.

(4) Paragraph 37 of the draft report appears as paragraph 39 in this Report.

(5) Paragraph 41 of the draft report appears as paragraph 43 in this Report.

The Hon. M. J. Arnold moved, as an amendment, That the expression "save as to the advice that prima facie cases existed of the commission of summary offences against section 267B(1) of the Act by the eleven organizers and distributors of the alternative card" be inserted after "matter".

Question - That the expression proposed to be inserted be so inserted - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.J. Arnold
B.W. Mier

The Hon. M.A. Birrell
B.P. Dunn

There being an equality of votes the Chairman gave his casting vote with the Noes.

Paragraph 45⁽⁶⁾

Following receipt of the D.P.P's opinion Dr Russell telephoned Mr Richardson to suggest that, as both the opinions of Mr Habersberger and the D.P.P. were "borderline", inconclusive and containing an element of doubt, it might assist the Chief Electoral Officer in making his decision as to whether charges should be laid to seek an additional opinion from the Solicitor-General. Mr Richardson told the Committee that "I felt in my mind that the Director-General had been talking to the Minister and the suggestion arose out of those discussions." (Transcript, page 136). In his evidence Dr Russell said that it was at his suggestion that the Solicitor-General had been engaged and that he had made a public statement on the matter. That statement, issued on 10 June 1987, indicated that there appeared to be an element of doubt in the legal opinions received and that it might be a good idea for the Chief Electoral Officer to get a further legal opinion.

The Hon. M. J. Arnold moved, as an amendment, That the expression 'Mr Richardson told the Committee that " I felt in my mind that the Director-General had been talking to the Minister and the suggestion arose out of those discussions." (Transcript, page 136).' be omitted.

Question - That the expression proposed to be omitted stand part of the paragraph - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes - Amendment negated.

Paragraph 53⁽⁷⁾ (as amended)

The Solicitor-General's opinion differed significantly from the other opinions received and it was only after the suggestion from his permanent head that Mr Richardson felt it

(6) Paragraph 45 of the draft report appears as paragraph 47 in this Report.
(7) Paragraph 53 of the draft report appears as paragraph 55 in this Report.

necessary to proceed in that direction. Mr Richardson was unable to say if he would have sought that advice had the suggestion not arisen from Dr. Russell. However, it is a reasonable inference that he would not have sought the view of the Solicitor-General without Dr. Russell's suggestion and that he followed up the suggestion because he considered himself to be subject to his permanent head's direction. The Committee has no doubt that the intervention of Dr. Russell, after consultation with the Minister, was instrumental in obtaining the opinion of the Solicitor-General when normally the opinion of the D.P.P. would be regarded as final.

Question - That paragraph 53, as amended, stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 54⁽⁸⁾

The Committee is further in no doubt that the opinion of the Solicitor-General was instrumental in Mr Richardson deciding that no prosecutions be launched. This was despite the fact that an analysis of the Solicitor-General's opinion by the D.P.P. and Mr Habersberger placed considerable doubt upon some of the arguments advanced by the Solicitor-General.

Question - That paragraph 54 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 55⁽⁹⁾

The whole chain of events regarding the Chief Electoral Officer's decision highlights very clearly the need for the independence of that office. Had provisions similar to those proposed by The Constitution Act Amendment (Electoral Reform) Bill been in force in 1986 Mr Richardson would almost certainly have been able to make his decision free from interference from any source.

The Hon. M. J. Arnold moved, as an amendment, That all the words and expressions after "The" (where first occurring) be omitted with the view of inserting in place thereof-

"events relating to the role of the Chief Electoral Officer highlight very clearly the need for the independence of that office. Under the legislation governing those events, there

(8) Paragraph 54 of the draft report appears as paragraph 56 in this Report.

(9) Paragraph 55 of the draft report appears as paragraph 57 in this Report.

is scope for circumstances to arise which may threaten the independence of the office. In the particular circumstances, the independence of the office was preserved. However, provisions similar to those proposed by The Constitution Act Amendment (Electoral Reform) Bill are necessary to ensure that the independence of the office is safeguarded".

Question - That the words and expressions proposed to be omitted stand part of the paragraph - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2	Noes, 2
The Hon. M.A. Birrell B.P. Dunn	The Hon. M.J. Arnold B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes - Amendment negatived.

Question - That paragraph 55 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2	Noes, 2
The Hon. M.A. Birrell B.P. Dunn	The Hon. M.J. Arnold B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 56⁽¹⁰⁾

On 7 May 1986, the day prior to Mr Richardson's decision, the Acting Crown Solicitor, Mr Alastair McLean, in the absence of the Crown Solicitor, received a telephone call from the Solicitor-General regarding the Nunawading re-election. The substance of the call is best outlined by the following file note made by Mr McLean:

"Solicitor-General phoned me re: The Nunawading By-Election:

1. He referred to the fact that the Chief Electoral Officer was obviously close to making a decision whether to proceed or not. He asked if he could be informed when a decision had been made, but before it was made public.
2. I said I would pass that on to the Chief Electoral Officer, but that I had no doubt that he could be so advised.
3. He then said that what he was probably ringing about was to let me know that the Government would prefer that no proceedings are commenced this week - he said his own view was that it was almost certain no proceedings would issue this week.
4. I told him in the strictest confidence that there was no chance of that happening."

(10) Paragraph 56 of the draft report appears as paragraph 58 in this Report.

Question - That paragraph 56 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 57⁽¹¹⁾

The Committee endeavoured to ascertain from Mr McLean in what capacity he thought the Solicitor-General was acting. Mr McLean was unable to answer the question during his evidence but said that had the Solicitor-General told him he was ringing on behalf of the Premier he would have responded differently. He told the Committee that it was not unusual for the Solicitor-General to ring the Crown Solicitor on matters relating to cases in which he was involved nor was it unusual for the Government to request the Crown Solicitor not to commence proceedings for a certain time in a matter.

The Hon. M. A. Birrell moved, as an amendment, That the following expression be inserted at the end of the paragraph:

'In this case, however, he felt it "was not usual for someone other than his client to contact him about prosecutions not being proceeded with". (Transcript, page 196).'

Question - That the expression proposed to be inserted be so inserted - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Question - That paragraph 57, as amended, stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

(11) Paragraph 57 of the draft report appears as paragraph 59 in this Report.

(12)

Paragraph 58

Mr McLean told the Committee that he was cautious and uneasy about the matter due to his unfamiliarity with it in the absence of the Crown Solicitor and that this was the reason why he kept such a detailed file note. He also told the Committee that he would be required to seek advice from the Chief Electoral Officer, as his client, before answering any questions from the Solicitor-General as to when proceedings would commence.

Question - That paragraph 58 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2	Noes, 2
The Hon. M.A. Birrell B.P. Dunn	The Hon. M.J. Arnold B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

(13)

Paragraph 59

Mr Richardson told the Committee of the telephone call he received from Mr McLean on the Solicitor-General's inquiry. In response, he said he had taken the view that although the inquiry had been made, he would still make the decision when he wanted to and not be influenced by any outside persons as to when that decision would be made.

Question - That paragraph 59 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2	Noes, 2
The Hon. M.A. Birrell B.P. Dunn	The Hon. M.J. Arnold B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

(14)

Paragraph 60

The Committee is concerned about the Solicitor-General's action because it raises the possibility of a conflict of interest. The Solicitor-General's role is to give independent legal advice to the Government. In this instance he had also given advice to a public servant on a matter which was of some possible embarrassment to the Government.

Question - That paragraph 60 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2	Noes, 2
The Hon. M.A. Birrell B.P. Dunn	The Hon. M.J. Arnold B.W. Mier

(12) Paragraph 58 of the draft report appears as paragraph 60 in this Report.
(13) Paragraph 59 of the draft report appears as paragraph 61 in this Report.
(14) Paragraph 60 of the draft report appears as paragraph 62 in this Report.

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 61⁽¹⁵⁾

Mr Richardson was in no doubt that the Solicitor-General was not acting as his legal adviser when he telephoned Mr McLean. In his evidence he says "I think if he had been making an inquiry in relation to his position as legal adviser to me, he would have made an inquiry of me". (Transcript, p.162). This issue was also alluded to by Judge Rowlands in the Administrative Appeals Tribunal in his decision of 28 May 1987 in relation to a freedom of information request by Paul Chadwick. In relation to Mr McLean's file note His Honour concludes -

"I find that this document is a file note made by the Acting Crown Solicitor recording a conversation between himself and the Solicitor-General who had phoned him for the purpose of making a request. The conversation had nothing to do with the provision of legal advice or with existing or anticipated legislation. The Solicitor-General did not appear at that stage to be acting as a legal adviser to the Chief Electoral Officer and was concerned, on behalf of other interests, with an administrative matter".

In his evidence Mr Richardson told the Committee that he did not disagree with Judge Rowlands' opinion.

Question - That paragraph 61 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

Paragraph 62⁽¹⁶⁾

On the evidence available to it the Committee has every reason to believe that the Solicitor-General was acting on behalf of the Government when he telephoned the Acting Crown Solicitor.

Question - That paragraph 62 stand part of the Report - put.

Committee divided - The Hon. A. J. Hunt in the Chair.

Ayes, 2

Noes, 2

The Hon. M.A. Birrell
B.P. Dunn

The Hon. M.J. Arnold
B.W. Mier

There being an equality of votes the Chairman gave his casting vote with the Ayes.

-
- (15) Paragraph 61 of the draft report appears as paragraph 63 in this Report.
(16) Paragraph 62 of the draft report appears as paragraph 64 in this Report.

LEGISLATIVE COUNCIL
STANDING ORDERS COMMITTEE

Report upon

CERTAIN BUSINESS OF THE COUNCIL



PARLIAMENT OF VICTORIA
1987

**LEGISLATIVE COUNCIL
STANDING ORDERS COMMITTEE**

REPORT

upon

CERTAIN BUSINESS OF THE COUNCIL

Ordered to be printed

EXTRACTED FROM THE MINUTES OF THE PROCEEDINGS
OF THE LEGISLATIVE COUNCIL

TUESDAY, 24 FEBRUARY 1987

- 18 STANDING ORDERS COMMITTEE - The Honourable Evan Walker moved, by leave, That the Honourables the President, W.R. Baxter, B.A. Chamberlain, B.P. Dunn, C.J. Kennedy, W.A. Landeryou, B.T. Pullen and Haddon Storey 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.

* * * * *

TUESDAY, 3 MARCH 1987

- 5 BUSINESS OF THE HOUSE - The Honourable Evan Walker moved, That there be referred to the Standing Orders Committee for examination and report the question of whether certain items of business traditionally listed on the Notice Paper as Government or General business more properly merit classification as "Business of the Council" and, in that event -
- (a) what items are appropriate to that category;
 - (b) what precedence those items should be afforded in the order of business; and
 - (c) what action (if any) is necessary to implement the Committee's recommendations.

Debate ensued.

Question - put and resolved in the affirmative.

REPORT

The Select Committee of the Legislative Council on Standing Orders, appointed pursuant to resolution of the Council on 24 February 1987, has the honour to report as follows:

1. On 3 March 1987 the Legislative Council resolved as follows:

That there be referred to the Standing Orders Committee for examination and report the question of whether certain items of business traditionally listed on the Notice Paper as Government or General business more properly merit classification as "Business of the Council" and, in that event -

- (a) what items are appropriate to that category;
- (b) what precedence those items should be afforded in the order of business; and
- (c) what action (if any) is necessary to implement the Committee's recommendations.

2. This reference to the Committee was initiated following comment by the Leader of the House and some other Members that certain items of business - in particular motions for disallowance of statutory rules - warranted separate treatment on the Notice Paper rather than being listed under Government or General Business. The Committee accepts the argument that some business does not properly come within the ambit of Government or General Business and therefore warrants special attention. In the Committee's view this can best be accomplished by affording that business precedence rather than listing it on the Notice Paper as "Business of the Council".

3. In considering this matter the Committee has referred to the procedure of the Australian Senate where, by Standing Order, certain matters are classified as "Business of the Senate" and are afforded precedence over Government and General Business on the day set down for their consideration. Having regard to the Senate model and the specific items to which it relates, the Committee has concluded that the following items are appropriate for consideration ahead of Government and General Business in the case of the Legislative Council:

- A motion for a vote of thanks of the Council.
- A motion for leave of absence to a Member.
- A motion touching the qualification of a Member.
- A motion to disallow, revoke or otherwise void any proposal, Statutory Rule or other instrument which by any Act is expressed as being subject to such a resolution of the Council or of the Council and the Assembly.
- An Order of the Day for the consideration of a report of the Standing Orders Committee or, arising from any such report, a motion to vary or adopt Standing Orders of the Council.

4. The Committee points out that a motion for a vote of thanks of the Council presently attracts precedence under Standing Order 86. With the exception of that item above relating to Standing Orders Committee reports, the remainder are basically in line with the Senate provision. The Committee believes that those items encompass the business which is of special concern to the House as a whole and, if precedence is confined to those matters, there should be no significant inroads on Government and General Business time in the normal course of events.

5. The Committee recommends that the following Standing Order be adopted in lieu of Standing Order 86:

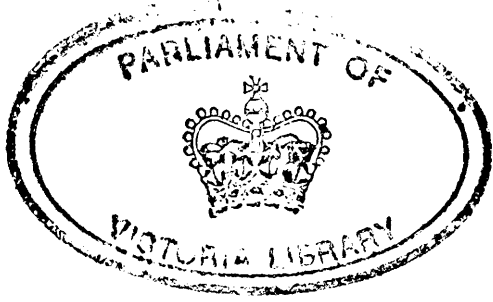
86. Precedence shall be given to -

- (a) a motion for a vote of thanks of the Council;
- (b) a motion for leave of absence to a Member;
- (c) a motion touching the qualification of a Member;
- (d) a motion to disallow, revoke or otherwise void any proposal, Statutory Rule or other instrument which by any Act is expressed as being subject to such a resolution of the Council or of the Council and the Assembly; and
- (e) an Order of the Day for the consideration of a report of the Standing Orders Committee or, arising from any such report, a motion to vary or adopt Standing Orders of the Council:

Provided that any such business shall be taken according to its sequence in this Standing Order.

President's Suite

7 April 1987.



VICTORIA

MINUTES
OF THE
PROCEEDINGS
OF THE
LEGISLATIVE
COUNCIL

SESSION

1987-88

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